XIV

743

Digest of the Laws and Regulations In force in Bengal with Supplement by J. E. Colebrooke 1807

Vol. – III

Sub. – Law And Legislation | Bengal | Regulations | Digest of the Laws and Regulations

WEST BENGAL SECRETARIAT LIBRARY

XIV/743 Vol- III

CONTENTS.

BENGAL SECRETARIAT LIBRARY.

JUDICIAL REGULATIONS.

Page

REGULATIONS *for the Administration of Justice, passed on the 21st August* 1772, 1

Regulations for the Administration of Justice, passed on the 11th April 1780, - 14

Regulations for the Sudder and Provincial Dewannee Adaulats, passed on the 3d November 1780, - - - - - - 23

General Regulations for the Administration of Justice in the Civil Courts, 6th April 1781, - - - - - - 27

Jurisdiction of the Dewannee Adaulats defined, - - - - 28

Subsidiary Regulations, passed on the same date, - - - - 31

Rules passed on 25th May 1781, - - - - - 36

Regulations for the Administration of Justice in the Mofussil Dewannee and Sudder Dewannee Adaulats, 5th July 1781, - - - - - 37

Supplement to the Judicial Regulations, passed from 5th July 1781, *to 17th December* 1784, - - - - - - - 87

Regulations for the Administration of Justice in the Mofussil Dewannee and Sudder Dewannee Adaulats, 27th June 1787, - - - - 93

Regulation concerning the rate of Interest, 19th August 1789, - - 110

——— *concerning suits instituted by the Company's covenanted servants, on the part of Government, 23d June* 1790, - - - - - 110

——— *relative to interest on decrees confirmed in Appeal, 27th October* 1790, 111

——— *concerning accumulated Interest, 28th October* 1790, - - 111

——— *relative to engagements entered into by landholders, without the previous sanction of the Board of Revenue, 29th October* 1790, - - 111

——— *modifying the 21st Article of the Regulations, 30th October* 1790, - 111

——— *concerning Mortgages, 31st October* 1790, - - - 112

——— *relative to Costs of Suit, 8th April* 1791, - - - 112

——— *relative to Interest, 26th August* 1791, - - - 473

——— *respecting the exaction of unauthorized Duties, 27th April* 1792, 473

Clause substituted for the 21st Article of the Regulations, 23d November 1792,

REGULATIONS FOR CRIMINAL COURTS.

Minute on Decrees and punishment of them; and remarks on the Muhamedan law, 114

Appointment of a Naib on the part of the Nazim, 23d November 1773, - 119

Plan for the Establishment of Foujdars, 19th April 1774, - - - 140

Appointment of Muhamed Reza Khan to be Naib Soubah, and removal of the Ni-

Page

zamut Adaulut to Moorshedabad, 18th October 1775, - - 125
Articles proposed by him, 6th November 1775, - - - 125
Particular instructions communicated to him by the Governor General in Council, 9th November 1775, - - - - - 127
Letter to Muhamed Reza Khan, in answer to the Articles proposed by him, 6th December 1775, - - - - - 127
Abolition of the Establishment of Foujdars and Tannadars; empowering Judges to act also as Magistrates, and appointing a Remembrancer; with rules for their guidance, 6th April 1781, - - - - - 128
Advertisement prohibiting the Banians &c. to dress their servants in the uniform of the Company's Sepoys and Lascars, 7th April 1780, - - - 474
Regulations for the Administration of Justice in the Foujdary or Criminal Courts, 27th June 1787, - - - - - - 131
French Subjects to be dealt with like British Subjects, 27th August 1788, - 474
Advertisement prohibiting Boats of certain descriptions, 14th January 1789, - 474
General prohibition against the use of the uniform of Company's Sepoys and Lascars, by other persons, 26th May 1790, - - - - 475
Regulations for the Administration of Justice in the Foujdary or Criminal Courts, 3d December 1790, - - - - - 141
Authority to the Head Assistants or Registers to act as Magistrates, on the indisposition or absence of the Magistrates, 25th February 1791, - - 476
Rule for the guidance of the Magistrates in imposing fines on offenders, 15th April 1791, - - - - - - 157
Rule for reporting breaches of the Peace to the Governor General in Council, 3d June 1791, - - - - - - 477
Regulation respecting Zemindars conniving at, or being parties in robberies, 3d June 1791, - - - - - 477
Regulations for the Sudder and Mofussil Cazees, 10th June 1791, - - 166
Annexation of part of Ramghur to the jurisdiction of the Patna Court of Circuit, 7th October 1791, - - - - - 157
Regulations for the Nizamut Adaulut, passed on 9th October 1791, - - 160
New Rules for the proceedings on trials of prisoners before the Courts of Circuit, 9th October 1791, - - - - - 158
For commuting sentences of mutilation into imprisonment, 10th October 1791, - 159
For references by Circuit Judges to the Law Officers for their Futwas, 11th October 1791, - - - - - - - 160
Respecting the Law Officers of the Courts of Circuit, 12th October 1791, - 160
Concerning the trial of causes respecting Slaves, 21st October 1791, - - 473
Rule empowering Magistrates to punish petty theft &c. 24th February 1792, - 161
Rule for trial of homicide notwithstanding the refusal or absence of the heirs or relations of the slain, 13th April 1792, - - - - 161
Rules for the guidance of the Nizamut Adaulut and Courts of Circuit, 27th April 1792, 161
Prescribing forms of Reports instead of those before directed, 18th May 1792, 162
Rule in respecting Warrants for the execution of Sentences of the Nizamut Adaulut, 15th June 1792, - - - - - 165
Reward of ten Rupees to be paid for every Decoit convicted, 29th June 1792, - 165

Page

Rule for granting an allowance to persons released from Jail, 10th July 1792, 165

Regulation for granting an allowance to indigent Prosecutors and Witnesses, 14th September 1792, 165

Regulation for the guidance of the Judges of the Courts of Circuit, 14th September 1792, 166

Ditto Ditto, 29th October 1792, 166

Regulations for the Police of the Collectorships in Bengal, Behar and Orissa, 7th December 1792, 167

——— *for the Establishment of a Police tax, 7th December 1792,* 478

REVENUE REGULATIONS.

Appointment of Supravisors to collect information concerning the Revenue &c. 16th August 1769, 174

Assumption of the Dewannee; and removal of Muhamed Reza Khan from his station of Naib Dewan, 11th May 1772, 189

Regulations for the settlement and collection of the Revenue for five years, 14th May 1772, 190

Additional Regulations, passed on 28th May 1772, 194

Institution of the Council to be a Board of Revenue and Auditors of the Dewannee —appointment of the Office of Roy Rayan and other Offices, 29th August 1772, 194

Plan for the management of the Revenues of Bengal and Behar, 23d November 1773, 200

Plan for establishing an Office to collect accurate information previous to forming a new settlement, 1st November 1776, 207

Appointment of Aumeens to assist the Superintendents, 20th December 1776, 208

Plan of Settlement for the year 1184, 11th July 1777, 210

Proclamation declaring hidden treasure to be the property of the discoverer, 3d October 1777, 346

Settlement for the year 1185, 7th April 1778, 212

Instructions to the Provincial Councils on the above, 8th May 1778, 212

Rule concerning the periods for demanding the Kists, 26th January 1779, 212

Settlement for the year 1186, 7th May 1779, 213

Ditto for the year 1187, 2d May 1780, 213

Abolition of the Office of Superintendent of the Khalsah; and appointment of a Preparer of Reports, 9th February 1781, 346

Permanent plan for the Administration of the Revenues of Bengal and Behar, 20th February 1781, 213

Rules for conducting the business of the Committee of Revenue, 2d March 1781, 216

Settlement for the year 1188 proposed on the 29th March 1781, 220

And approved with modifications on the 30th March 1781, 224

Restrictions on employing Mohussils in the collection of the Revenue, 5th June 1781, 484

Further orders in explanation, 28th June 1781, 484

Institution of a Bauzee Zemin Dufter, 31st May 1782, 224

Plan for reviving and re-establishing the Mazoolee Dufter, 9th August 1782, 232

Regulations for Rent free Lands, 26th August 1783, 484

Receipts to be given for payments on account of Revenue, 6th May 1784, 235

	Page
Settlement for the year 1191, *proposed on the* 12th *April* 1784,	234
And approved on the 27th *May* 1784,	235
Institution of an Office for the Registry of Alienated Lands in Behar, 29th *June* 1784,	236
Resolutions for the abolition of certain Collectorships and Adauluts, 20th *December* 1784, *and* 27th *January* 1785,	242
Settlement for the year 1192, 6th *June* 1785,	243
Ditto for the year 1193, 7th *April* 1786,	243
Abolition of the Office of Provincial Dewan,	244
Arrangement of Collectorships, on the 25th *April* 1786,	246
Constitution of a Board of Revenue, 12th *June* 1786,	247
Abolition of the Bazee Zemin Dufter, 19th *July* 1786,	250
Institution of the Office of Chief Serrishtadar, 19th *July* 1786,	251
Regulations for the arrangement of the Revenue Department, 5th *February* 1787,	346
Proceedings of the Board of Revenue in dividing the Country into Collectorships, 13th *March* 1787,	351
Approved on the 21st *March* 1787,	354
General Regulations for the conduct of the Collectors, 8th *June* 1787,	253
Regulations for registering Jageers &c. in Behar, 23d *April* 1788,	487
——— *for the Board of Revenue,* 25th *April* 1788,	266
——— *for the Office of Preparer of Reports,* 23d *May* 1788,	280
——— *regarding Maliconnah Lands in Behar,* 8th *August* 1788,	490
——— *for the Preparer of Reports, passed on* 11th *August* 1788,	491
Further Regulation for the Preparer of Reports, passed on 16th *September* 1788,	491
Rule to be observed by the Preparer of Reports for procuring the attendance of persons in the custody of the Judges and Magistrates, 12th *November* 1788,	285
Collectors to furnish Monthly Reports of Prisoners, 8th *April* 1789,	492
Rule concerning the recovery of Rents due to Zemindars from petty renters, 29th *April* 1789,	492
Lands in the vicinity of Calcutta liable for Revenue due on them, 29th *June* 1789,	492
Abolition of the Aumilnamah fee, 24th *March* 1790,	493
Regulation for the resumption of the Abkamry, 19th *April* 1790,	354
The Board of Revenue constituted a Court of Review as well as Appeal, 28th *May* 1790,	493
Rule for the Board of Revenue and Preparer of Reports taking opinions of Law Officers, 2d *June* 1790,	493
Regulations for the resumption of Sayer, 11th *June* 1790,	286
Supplement to the above, 23d *June* 1790,	290
Limitation for the sale of Lands at the Khalsah, 30th *June* 1790,	493
Regulation for the Preparer of Reports, 28th *July* 1790,	494
——— *for the removal of Kelaul shops to a distance from Military Cantonments,* 28th *July* 1790,	509
Advertisement on the resumption of Sayer, 28th *July* 1790,	291
Rule concerning attachment of Crops, 30th *July* 1790,	494
Landholders &c. forbid interfering in Judicial Matters, 30th *July* 1790,	494

Page

Regulation concerning the Zemindars right to grounds on which Hauts and Bazars are held, 6th August 1790, - - - - 496
Regulation for recovering arrears of revenue by sequestration and sale, 20th August 1790, - - - - - - 495
Rule concerning the confinement of landholders for balances of revenue, 8th September 1790, - - - - - 495
——— *taking off the prohibition of the sale of spirituous liquors, within 10 miles of Calcutta, 29th September 1790,* - - - 496
Regulations for the sale of lands, 8th October 1790, - - 496
Advertisement concerning Europeans desirous of possessing ground without the limits of Calcutta, 11th November 1790, - - - 355
——— *declaring valid, bonâ fide transfers of landed property, made without the sanction of the Board of Revenue, 17th November 1790,* - 202
Regulations respecting Lakheraj lands, 1st December 1790, - - 292
Rule concerning the payment of costs in Collector's Courts, 24th December 1790, 496
Tehsildars not to buy lands within their Jurisdiction, 7th January 1791, - 496
Abkarry Regulations, 14th January 1791, - - - 497
Regulation respecting Tuccavy, 14th January 1791, - - - 500
Further prohibition concerning spirituous liquors, 7th February 1791, - 355
Regulation for the repairs of Dykes, 11th February 1791, - - - 500
——— *for Sayer Compensations, 15th April 1791,* - - 501
Regulation for Collectors, regarding charges of Corruption or Embezzlement against Revenue Officers, 10th May 1791, - - - 502
——— *for suspending Sales of Lands, 10th June 1791,* - - 502
Rules regarding Pensions, 10th June 1791, - - 295
——— *concerning Mulguzarry Sayer compensations, 24th June 1791,* - 503
Regulations relative to Disqualified Landholders, 15th July 1791, - - 268
——— *for Preparer of Reports, 15th July 1791,* - - 503
——— *for the Board of Revenue, concerning the abolition of Peshkush &c. 29th July 1791,* - - - - - - 503
Rule concerning confinement for balances of revenue, 12th August 1791, - 307
——— *for receiving sorts of Rupees in payment of revenue, 25th August 1791,* 308
Regulation extending part of the 30th Art. of the Judicial Regulations to causes cognizable in the Mal Adauluts, 30th September 1791, - - 504
——— *concerning Tanks, 21st October 1791,* - - - 504
——— *concerning Keraul Shops, 21st October 1791,* - - 505
Further Regulation regarding Tanks, 4th November 1791, - - 505
Amended Code of Regulations relative to the Decennial Settlement, 23d November 1791, - - - - - - 308
Regulations for the division of lands, 30th March 1792, - - 328
Regulation respecting the collection of Batta, 4th July 1792, - - 506
Regulation for the recovery of arrears of Rent or Revenue by distress and sale, 20th July 1792, - - - - - 335
Abkarry Regulations, 3d August 1792, - - - 506
Regulation relative to Disqualified Landholders, 23d November 1792, - 508
Proclamation on the Decennial Settlement being fixed in perpetuity, dated 22d March 1793, - - - - - - 356

COINS AND MINTS.

Establishment of a Gold Coinage, 22d June 1766, - - 365
Plan for the Establishment of a Gold Currency, 20th March 1769, - 366

Page

Coinage of the 12 Sun Sicca Rupees, 26th August 1771, - - 367
Regulation for allowing the Calcutta Mint only, for the three Provinces, 27th May 1777, - - - - - - 367
Establishment of a copper coinage, 24th September 1781, - - - 368
Suspension of the coinage of gold Mohurs, 3d December 1788, - - 369
Discontinuance of the duty of 1 per cent on the coinage of silver, 20th February 1796, 369
Permission for the coinage of gold Mohurs, 21st July 1790, - - - 370
Issue of new milled silver Coin from the Mint, 1st September 1790, - - - 370
Advertisement concerning Sale of gold and silver Coin, 18th November 1791, - 370
Order of assaying, refining and coining bullion; and registering them, 20th June 1792, 371
Regulations for the conduct of the several Mints, 24th October 1792, - - 371
Resolutions fixing the full weight of a gold Mohur; and establishing a percentage on the coinage of gold Mohurs, 21st November 1792, - - - - 374

SALT.

Regulations for carrying on the Inland Trade in Salt, Betlenut and Tobacco, passed on 10th August 1765, - - - - - - 375
Rule establishing a duty upon the above for the Company, 18th September 1765, - 376
Regulations for the management of the Trade, 3d September 1766, - - - 377
Abolition of the Inland Trade, 16th January 1767, - - - - - 378
Resolution for allowing one year to close the concerns of the Society, 27th July 1767, 379
Notice of the abolition, 1st September 1768, - - - - - 379
Regulations for carrying on the Salt Trade, 7th October 1768, - - - 379
Scheme for the Settlement and distribution of the Salt Mehals, 7th October 1772, 381
Resolution concerning the Salt Mehals, 16th July 1777, - - 382
Provision of Salt by Agency, 19th September 1780, - - - - 382
Regulation for providing the Salt for the Company, published on 12th October 1780, 384
Advertisement prohibiting any vent of Salt into Assam, except by the Company's Agent, 9th July 1787, - - - - - - 385
Further advertisement, 27th July 1787, - - - - - 385
Regulations for the conduct of the Salt Agents and their Officers, 10th December 1788, - - - - - - - - 386
Restrictions on Muscat Salt, 27th May 1789, - - - - - 390
On the clandestine manufacture of Salt, 3d June 1789, - - - - 391
On the clandestine importation of it, 19th August 1789, - - - - 392
Salt Regulations confirmed by the Governor General in Council as modified by the Board of Revenue, 21st October 1789, - - - - - 392
Rescission of 14th Art. of the Regulations of 10th December 1788, 15th September 1790, - - - - - - - 392
Notice fixing stated periods for the sale of Salt, 6th October 1790, - - - 393
Resolution requiring immediate notice to be given to the Agent of any decree against a Salt Manufacturer, 27th October 1790, - - - - - 393
Regulation concerning Zemindars conniving at the clandestine manufacture or traffick of Salt on their estates, 20th April 1791, - - - - 393
——— *for Rock Salt to be lodged in the Company's Golahs, 20th May 1791,* - - 394
——— *for restricting the Salt Agents from quitting their Stations without leave, 30th September 1791,* - - - - - - - 394

Page

Rules for proceeding on complaints by the Manufacturers against the Salt Officers, 2d December 1791, - - - - - - - 395

Rules for seizures of Salt to be made by the Agents &c. without previous notice to the Collectors, 13th April 1792, - - - - - 395

OPIUM.

Contract for Behar Opium, 23d November 1773, - - - - 396

Translation of the Contract, - - - - - - 397

Advertisement inviting proposals of Contract for the ensuing year, 23d May 1775, 398

Conditions of Contract with the Bengal and Behar Contractors, 1st August 1775, 399

Renewal of the Contract, 3d September 1776, - - - - 399

Contract on the same terms, 1st August 1777, - - - - 400

Contract for 4 years, 16th March 1781, - - - - - 400

Advertisement for the Opium Contract, published 11th July 1785, - - - 401

Proposals of Contract, 13th August 1785, - - - - 402

Accepted on the 9th September 1785, - - - - - 405

Advertisement of the Contract dated 29th July 1789, - - - - 405

Additions to the above, published 15th August 1789, - - - - 416

Alterations in the Advertisement, 21st August 1789, - - - 419

Contract concluded 14th September 1789, - - - - - 419

Advertisement prohibiting illicit manufacture of Opium, 19th February 1790, - 420

Insertion of an additional clause in the Contract, 16th April 1790, - - - 420

Queries by the Judge of the Mooky Adaulut to the Resident at Benares, on certain undefined cases; with his answers, 28th May 1790, - - - - 421

Explanation of the terms of the Contract, 2d June 1790, - - - 422

Advertisement repeating the prohibition of 19th February 1790; with additions, 4th March 1791, - - - - - - - 422

Confiscation of Smuggled Opium, 8th July 1791, - - - - - 423

CUSTOMS.

Notification prohibiting the exclusive privilege of Dustuks to Company's Civil Servants, 16th February 1773, - - - - - 423

Suppression of Zemindarry Chauts, - - - - - - 424

Exemption of grain from duties, 19th February 1773, - - - 424

Duties on buy and other Salt, 19th February 1773, - - - - 424

Future Establishment and Regulation of the Duties of the Country Government, 23d March 1773, - - - - - - - 425

Rules concerning particulars required to be specified in Puwannas, 1st June 1773, 427

Resolution placing the Euchhunder under the charge of the Phouzdar, 4th January 1774, - - - - - - - - - 428

Rule restricting Duties to be levied only at Gunges where the goods are sold, 1st March 1774, - - - - - - - - 428

Duties on Grain, 18th April 1774, - - - - - - 428

Duty of two and half per cent on the cargoes of foreign Ships calculated at prime cost, 14th April 1775, - - - - - - - 429

Confiscations, 23d June 1775, - - - - - - - 429

Restrictions on passing goods unaccompanied with Puwannas, 22d September 1775, 429

Page

Plan for the future management of the Customs of the Provinces, 23d April 1781, 429
Approved on the 10th May 1781, 431
Regulations for the Custom Master at Calcutta, 25th May 1781, 433
Rules for the President, 11th March 1785, 435
Advertisement forbidding the throwing of Ballast into the river, 11th April 1785 437
Regulation respecting the evasion of duties by loading at other places than Calcutta, 3d January 1787, 437
Regulations for passing Ruwannas in the Company's Provinces and Zemindarry of Benares, 23d May 1788, 438
——— *for the Customs, 20th June 1788,* 439
——— *for the new Custom-house at Mangee,* 439
Advertisement respecting Lists of Europeans to be furnished by Commanders of Ships, 25th June 1788, 441
Rule for levying double duties in all cases of deficient entries, 12th November 1788, 443
Respecting credit to be given for duties on Imports, 12th May 1789, 443
Prohibition respecting Slaves, 22d July 1789, 444
Exemption of Bengal manufactured Spirits from duty on Exportation by sea, 24th August 1789, 445
Duty on Betlenut and Tobacco, 3d September 1789, 445
Advertisement withdrawing the restriction on the trade in Salt between Bengal and Assam, 6th January 1790, 446
Regulation for the Trade of Sylhet, 8th October 1790, 446
Advertisement forbidding the throwing of Ballast at Diamond Harbour, 16th March 1791, 447
Notification concerning unmarked Packages not to be received at the Custom-house, 1st June 1791, 448
Regulations on the abolition of duties at Madras &c. upon the Merchandize being the produce of Bengal &c. 12th August 1791, 448
Notification concerning duties on goods passing to and from the Vizir's territories, 23d November 1791, 450
Treaty of Commerce with Nepaul, dated 1st March 1792, 450
Further injunctions respecting lists of Europeans to be furnished by Commanders of Ships, 27th June 1792, 452
Prohibiting the Sale of Arms and Warlike Stores to the Country Powers, 27th June 1792, 452
Reduction of Export duty in Benares from five to two and half per cent, 21st September 1792, 453
Specification of the places at which duty shall be levied on the trade between the Company's Territories and Nepaul, 28th September 1792, 458

COMMERCIAL REGULATIONS.

Resolutions prohibiting compulsion towards the Weavers, and inviting proposals for tenders of goods for ready money, 12th April 1773, 453
Injunctions issued in consequence of representations from the Dutch East India Company, 1st May 1775, 454

Page

Reservation respecting engagements entered into before the publication of the general freedom of Trade, 12th *June* 1775, - - 455

Regulations for Weavers, recorded on the 31st *August* 1775, - - 455

Regulation prohibiting the clandestine sale and purchase of Cloths, provided by the Company's advances, 22d *April* 1782, - - - 457

Regulations for the Honorable Company's Weavers, 19th *July* 1786, - 457

Regulations for Weavers; more particularly those in the Company's employ; with a general Supplementary Article, 23d *July* 1787, - - 462

Additional Supplement, 30th *October* 1789, - - - 467

Regulations for the conduct of Commercial Agents, in carrying on Trade for themselves, - - - - - 468

INVALIDED SEPOYS.

Regulations for granting lands to the Monghyr Invalids, 18th *February* 1789, 469

Declaration to the Zemindars, respecting the Jumma of Invalid's lands, 24th *December* 1790, - - - - - 472

GENERAL REGULATIONS

FOR THE

ADMINISTRATION OF JUSTICE,

PROPOSED BY THE COMMITTEE OF

CIRCUIT, AT CASSIMBAZAR,

On the 15th Auguſt, 1772;

BENGAL SECRETARIAT LIBRARY

AND

MADE AND ORDAINED BY THE PRESIDENT AND COUNCIL IN BENGAL,

ON THE 21ST AUGUST 1772.

1ſt. THAT in each diſtrict ſhall be eſtabliſhed two courts of judicature, one by the name of Moſuſſul Dewannee Adawlut, or Provincial Court of Dewannee, for the cognizance of civil cauſes; the other by the name of Phoujdarree Adawlut, or Court of Phoujdarree, for the trial of all crimes and miſdemeanors.

2d. That for the better aſcertaining the juriſdiction of each court, and to prevent confuſion, and a perverſion of juſtice, the matters cognizable by each reſpectively are declared to be as follows.

All diſputes concerning property, whether real or perſonal; all cauſes of inheritance, marriage and caſt; all claims of debt, diſputed accounts, contracts, partnerſhips, and demands of rent, ſhall be judged by the Dewannee Adawlut.

But from this diſtribution is excepted the right of ſucceſſion to Zemindarries and Talookdarries, which ſhall be left to the deciſion of the Preſident and Council.

All trials of murder, robbery and theft, and all other felonies; forgery, perjury, and all ſorts of frauds and miſdemeanors, aſſaults, frays, quarrels, adultery, and every other breach of the peace, or violent invaſion of property, ſhall be ſubmitted to the Phoujdarree Adawlut.

3d. That in the Provincial Court of Dewannee, the Collector of each diſtrict ſhall preſide, on the part of the Company, in their quality of King's Dowan, attended by the Provincial Dewan, appointed by the Preſident and Council, and the other officers of the Cutcherry; that the court ſhall be regularly held, on every monday and thurſday, and oftener if neceſſity require, and that no cauſes ſhall be heard or determined, but in the open court regularly aſſembled.

4th. That in the Phoujdarree Adawlut, the Cazee and Muſtee of the diſtrict, and two Moulavies ſhall ſit to expound the law, and determine how far the delinquents ſhall be guilty of a breach thereof: but that the Collector ſhall alſo make it his buſineſs to attend to the proceedings of this court, ſo far as to ſee that all neceſſary evidences are ſummoned and examined; that due weight is allowed to their teſtimony; and that the

decision passed is fair and impartial, according to the proofs exhibited in the course of the trial; and that no causes shall be heard or determined, but in the open court, regularly assembled.

5th. That in like manner, two superior courts of justice shall be established, at the chief seat of government; the one under the denomination of the Dewannee Sudder Adawlut, and the other the Nizamut Sudder Adawlut.

6th. That the Dewannee Sudder Adawlut shall receive and determine appeals from the Provincial Dewannee Adawlut; that the President, with two Members of the Council, shall preside therein, attended by the Dewan of the Khalsa, the head Canongos and other officers of the Cutcherry: in case of the absence of the President, a third Member of the Council to sit; that is to say, not less than three Members to decide on an Appeal; but the whole Council may sit if they chuse it.

7th. That a chief Officer of justice, appointed on the part of the Nazim, shall preside in the Nizamut Adawlut, by the title of Daroga Adawlut, assisted by the chief Câzee, the chief Muftee, and three capable Moulavies; that their duty shall be, to revise all the proceedings of the Phoujdarree Adawlut; and, in capital cases, by signifying their approbation or disapprobation thereof, with their reasons at large, to prepare the sentence for the warrant of the Nazim, which shall be returned into the Mofussul, and there carried into execution: that with respect to the proceedings in this Court, a similar control shall be lodged in the Chief and Council, as is vested in the Collectors in the districts; so that the Company's Administration, in character of King's Dewan, may be satisfied, that the decrees of justice, on which both the welfare and safety of the country so materially depend, are not injured, or perverted, by the effects of partiality or corruption.

8th. That, in order to preserve the dignity and importance of the two superior courts, there shall be two Courts of Adawlut established at the seat of government, exactly on the same plan as those of the districts. In that of the Dewannee, a Member of the Council shall preside; and in that of the Phoujdarree, another Member of the Council shall exercise the control, specified in the fourth regulation: these duties to be performed by the Members in rotation.

9th. That as nothing is more conducive to the prosperity of any country, than a free and easy access to justice and redress, the Collectors shall at all times be ready to receive the petitions of the injured; and further, to prevent their being debarred this access from motives of interest, partiality or resentment, in the officers or servants of the Cutcherry, that a box shall be placed at the door of the Cutcherry, in which the complainants may lodge their petitions at any time or hour they please. That the Collector shall himself keep the key of this box; and, each court day, have such Arzees as he may find in it, read immediately in his presence, by the Arizbeggy of the Cutcherry.

10th. That, in ſummoning, from the farmed lands, perſons complained againſt, or evidences called on, by the parties, the rule, laid down in the ninth article of the public regulations, is to be ſtrictly adhered to. The Collector ought further to avoid, as ſtudiouſly as poſſible, ſummoning any perſons from the Moſuſſul, who are any way connected with the Revenue, during the months of Bhadoon, Aſſin, Aughun and Poos, unleſs in caſes which call for immediate enquiry and example.

11th. That in order to facilitate the courſe of juſtice in trivial cauſes, and relieve the Ryot from the heavy grievance of travelling to a great diſtance, to ſeek for redreſs, all diſputes of property, not exceeding ten rupees, ſhall be decided by the head Farmer of the Purgunnah, to which the parties belong; and his decree ſhall be final.

12th. That the proceſs, obſerved for trying cauſes, in the Provincial Dewannee Adawlut, ſhall be as follows: Firſt, to file and read the petition of the complainant. Secondly, to allot a limited time for the defendant to give anſwer; which, when received, ſhall alſo be filed and read. Thirdly, to hear the parties *viva voce*, and, if neceſſary, examine evidences. And laſtly, to paſs decree. That if, in adhering to this order of proceſs, the defendant ſhall evade, or delay giving anſwer, within the limited time, judgment ſhall paſs againſt him.

13th. That complete records ſhall be kept, in the Moſuſſul Dewannee Adawlut, in which ſhall be inſerted the petition of the complainant, the anſwer of the defendant, the ſubſequent proceſs, and examination of evidence, and finally the decree: that, upon decree being paſſed, both parties ſhall be furniſhed with a copy thereof, free of expence; and that ſuch copies ſhall be authenticated, under the public ſeal and the ſigning of the Collector. That a copy of the records, entire, ſhall be alſo tranſmitted, twice a month, to the Sudder Dewannee Adawlut, through the channel of the Preſident and Council.

14th. That each Collector ſhall alſo keep an abſtract regiſter of his Adawlut, in Engliſh, containing the names of the Plaintiff and Defendant, the ſubſtance of the ſuit; the ſubſtance of the decree, the date of the cauſe being filed, and the date of the decree being paſſed; and this abſtract, alſo, ſhall be tranſmitted, twice a month, to the Sudder Dewanny Adawlut.

15th. That as the litigiouſneſs, and perſeverance, of the natives of this country, in their ſuits and complaints, is often productive, not only of inconvenience and vexation to their adverſaries, but alſo of endleſs expence and actual oppreſſion; it is to be obſerved, as a ſtanding rule, that complaints, of ſo old a date as twelve years, ſhall not be actionable: and, further, ſhould they be found guilty, as is often the caſe, from the principles abovementioned, of flying from the one court to the other, in order to prevent and protract the courſe of juſtice, the party, ſo tranſgreſſing, ſhall be conſidered as non-ſuited; and ſhall, according to his degree in life,

and the notoriety of the offence, be liable to fine or punishment.

N. B. By the Mahometan law, all claims, which have lain dormant for twelve years, whether for land or money, are invalid. This also is the law of the Hindoos, and the legal practice of the country.

16th. That the custom of levying Chowt, Dussuttra, Punchuttra, or any other fee or commission on the account of money recovered, or Etlâk on the decision of causes, as well as all heavy arbitrary fines, is absolutely and for ever abolished.

17th That as however, cases may occur, in which it will be highly necessary, for the welfare of the community, to curb and restrain trivial and groundless complaints, and to deter chicane and intrigue; which passions, amongst these people, often work to the undoing of their neighbours; a discretion shall, in such cases, be left to the court, either to impose a fine, not exceeding five rupees, or inflict corporal punishment, not exceeding twenty lashes with a rattan, according to the degree of the offence, and the person's station in life.

18th. That in adjusting the claims of old debts, it shall be observed, as a rule, that they bear no further interest, after such adjustment; but that the amount shall be payable by kistbundee, according to the circumstances of the party. And as the rates of interest, hitherto authorized by custom, have amounted to the most exorbitant usury, the following rates are now established, to be received and paid, as well for past debts, as on future loans of money: viz. On sums not exceeding 100 rupees principal, an interest of 3 rupees two annas per cent per mensem, or half an anna in the rupee. On sums above one hundred rupees principal, an interest of two rupees per cent per mensem; the principal and interest to be discharged according to the condition of the bond; and all compound interest, arising from an intermediate adjustment of accounts, to be deemed unlawful and prohibited. When a debt is sued for, upon a bond, which shall be formed to specify a higher interest than the established rates, the interest shall be wholly forfeited to the debtor, and the principal only recoverable: and that all attempts to elude this law, by deductions from the original loan, under whatever denomination, shall be punished, by a forfeiture of one moiety of the amount of the bond to the Government, and the other half to the debtor.

19th. That all bonds shall be executed in the presence of two witnesses.

20th. That whereas it has been too much the practice in this country, for individuals to exercise a judicial authority over their debtors; a practice, which is not only in itself unlawful and oppressive, seeing a man thereby becomes the judge in his own cause, but which is also a direct infringement of the prerogative and powers of the regular Government; that publications shall therefore be made, forbidding the exercise of all such authority, and directing all persons, to prefer their suits to the established Court of Adawlut; and that the Collector shall particularly attend to this regulation

which, it is apprehended, will prove a great means of relief to the helpleſs Ryot from his mercileſs creditor, the money lender.

21ſt. That in all caſes of diſputed property, regarding lands, houſes, land-marks, &c. where a local inveſtigation is required, an Aumin ſhall be choſen with the mutual conſent of the parties, or, if they cannot agree in the choice of one perſon, each ſhall have the privilege of nominating his own, and the Collector ſhall decide upon their joint report of circumſtances. The Collector is alſo to attend, that the Aumins do not accumulate expences by unneceſſary delays, but that their ſcrutinies and their wages be limited to the time he judges ſufficient for performing the ſervice in queſtion. The expence of the enquiry to be defrayed by the perſon who is caſt.

22d. That in all caſes of diſputed accounts, partnerſhips, debts, doubtful or conteſted bargains, nonperformance of contracts, and ſo forth, it ſhall be recommended to the parties to ſubmit the deciſion of their cauſe to arbitration, the award of which ſhall become a decree of the Dewannee Adawlut; the choice of the arbitrators is to reſt with the parties, but they are to decide the cauſe without fee or reward. The Collector, on the part of government, is to afford every encouragement in his power, to inhabitants of character and credit, to become arbitrators; but is not to employ any coercive means for that purpoſe.

23d. That in all ſuits regarding inheritance, marriage, caſt, and other religious uſages, or inſtitutions, the laws of the Koran with reſpect to Mahometans, and thoſe of the Shaſter with reſpect to Gentoos, ſhall be invariably adhered to: on all ſuch occaſions the Moulavies or Brahmins ſhall reſpectively attend, to expound the law; and they ſhall ſign the report, and aſſiſt in paſſing the decree.

24th. That the decree of the provincial Dewannee Adawlut, on all cauſes, for ſums not exceding five hundred rupees, ſhall be final; but that for all above that amount, an Appeal ſhall lie to the Sudder.

25th. That the court ſhall have a right of decreeing to the party, in whoſe favor judgment is given, any ſpecific ſum, for coſts, within the real amount, or in general to decree with coſts. The bill, in both caſes, to be taxed by the court.

26th. That perſons found guilty of preferring groundleſs, litigious or vexatious Appeals, ſhall be puniſhed, at the diſcretion of the Sudder Dewannee Adawlut, by an enhancement of the coſts, which ſhall be given to the reſpondent, as a compenſation for the trouble and expence which he ſhall have ſuſtained.

27th. That complete records ſhall be kept, and tranſmitted from the provincial Phoujdarree Adawlut, to the Nizamut Sudder Adawlut, twice every month, through the channel of the Preſident and Council. This excluſive of the proceedings in trials for capital crimes, which are to be tranſmitted as ſoon as cloſed.

28th. That the Collector ſhall keep an abſtract regiſter, in Engliſh, of the proceedings of this court, in which ſhall be inſerted only the names of the priſoners, the crimes or offences of which they ſtand charged, and the ſentence or acquittal, which ſhall be tranſmitted in like manner, twice every month, to the Sudder Adawlut.

29th. That the authority of this court ſhall extend to corporal puniſhment, impriſonment, ſentencing to the road and fines, but not to the life of the criminal. In capital caſes, the opinion of the Court, with the evidences and defence of the priſoner, ſhall be tranſmitted to the Nizamut Adawlut; and, having obtained their confirmation, it ſhall be ultimately referred to the Nazim, for his ſentence, which ſhall be carried into immediate execution, as directed in the ſeventh article.

30th. That perſons guilty of petty miſdemeanors, whoſe rank, caſt or ſtation in life, ſhall be thought to exempt them from corporal puniſhment, may be made liable to fines; but ſhould ſuch fines be laid for a larger ſum than one hundred rupees, they are not to be inforced, or levied, without the confirmation of the Nizamut Adawlut; for which purpoſe, they are to be immediately reported, with a ſtate of the caſe, and the cauſe of their being impoſed.

31ſt. That, as the forfeiture and confiſcation of the property and effects of delinquents, ſentenced to the loſs of life, may often occur, it is to be obſerved, that ſuch forfeiture and confiſcation is not to depend on the provincial Phoujdarry, but upon the Nizamut Adawlut. It is to be a ſtanding rule, therefore, to tranſmit, with the proceedings of the trial, an account of the property and effects of the delinquent, and wait the orders of the Sudder, whether they are to be ſurrendered to the heirs, or confiſcated to the ſtate. In the latter caſe, a ſale is to be made, and the amount brought to public account.

32nd. That, whereas the Honorable Company, from motives of tenderneſs and ſolicitude for the peace and happineſs of the ryots, have determined to aboliſh the revenue, which has hitherto ariſen from the collections of the Phoujdarree Bâzee Jumma, the ſame is accordingly to be made public; the Court is ſtill to take cognizance of all ſuch offences, but ſhall inflict no other puniſhment for them than ſtripes, or impriſonment, or damages to the party injured.

33d. That the ſame motives of regard for the tranquillity and happineſs of the ryots, having induced the government to relinquiſh the revenue ariſing from the Ruſſooms, or Fees of the Câzee and his inferior officers, of which the inhabitants have long complained as a ſevere grievance; the Câzee and Muftee are therefore introduced in the liſt of Adawlut officers, at a monthly ſalary. In this capacity, they are to continue to atteſt all writings, to perform all ceremonies of marriages, births and funerals, and to diſcharge all their other functions, as was cuſtomary heretofore; and as they are thus to be ſupported at the expence of government, they are to exact no

fees, dues or taxes whatſoever; any preſent or gratification, made with the entire free will of the party, on the occaſion of a marriage, or of a funeral, is not prohibited by this regulation: but if upon complaint it ſhall appear, that force, or any undue influence has been uſed, to extort ſuch gratifications, the Cãzee or Muftee, ſo convicted, ſhall be, *ipſo facto*, diſmiſſed from his office, with marks of public diſgrace.

34th. That the office of Yetaſaub, having become obſolete, is now totally aboliſhed; but that the Cãzee and Muftee ſhall be allowed each two deputies, for performing the duties of their office in the Purgunnahs; theſe to be ſtationed by the Collector, at ſuch convenient diſtances, as that the Ryots may not have above one day's journey to perform, for calling in their aſſiſtance.

35th. That, whereas the peace of this country hath, for ſome years paſt, been greatly diſturbed, by bands of Decoits, who not only infeſt the high roads, but often plunder whole villages, burning the houſes, and murdering the inhabitants; and whereas theſe abandoned out-laws have hitherto found means to elude every attempt, which the vigilance of government hath put in force, for detecting and bringing ſuch atrocious criminals to juſtice, by the ſecrecy of their haunts, and the wild ſtate of the diſtricts, which are moſt ſubject to their incurſions; it becomes the indiſpenſible duty of Government, to try the moſt rigorous means, ſince experience has proved every lenient and ordinary remedy to be ineffectual: That it be therefore reſolved, that every ſuch criminal, on conviction, ſhall be carried to the village to which he belongs, and be there executed, for a terror and example to others, and for the further prevention of ſuch abominable practices, that the village, of which he is an inhabitant, ſhall be fined, according to the enormity of the crime; and each inhabitant according to his ſubſtance; and that the family of the criminal ſhall become the ſlaves of the ſtate, and be diſpoſed of, for the general benefit and convenience of the people, according to the diſcretion of the government.

36th. That the Tannadars and Pikes of the diſtricts ſhall be puniſhed by diſmiſſion, or fines, if they neglect the duties of their charge, and, as an encouragement for them, to exert themſelves in the protection of the villages committed to their care, and in detecting, oppoſing, and bringing to juſtice, all Decoits and other offenders againſt the public peace, pecuniary rewards, grants of lands, or particular privileges and immunities, ſhall be granted them, proportioned to their deſerts, and the ſervices which they ſhall have rendered the ſtate.

37th. That, in addition to theſe general regulations, the Collector ſhall form ſuch ſubſidiary ones, for promoting the due courſe of juſtice, and the welfare and proſperity of the Ryots, as the local circumſtances of their reſpective diſtricts ſhall point out and require, and that they ſhall report the ſame to the Committee of Circuit, in order to their being communicated to the Board, for their final ſanction and confirmation.

That they ſhall, in particular, and without delay, regulate and tranſmit for confirmation, the fees to be received by all peons and pikes, employed in the ſervice of the

courts of Adawlut, which can only be done, with accuracy, from information on the ſpot. And that they ſhall further eſtabliſh ſuch rules, with penalties annexed, as may ſerve effectually to eradicate the practice, among the officers and ſervants of the Cutcherry, of exacting and receiving bribes, from the parties who have cauſes in ſuit; a practice, not only criminal in the perſons who are guilty of it, but which reflects diſcredit and reproach on the government, under which they ſerve.

Extract of a letter from the Committee of Circuit to the Council at Fort William; dated at Caſimbazar, 15th Auguſt, 1772.

In forming the encloſed plan [for the adminiſtration of juſtice] we have confined ourſelves, with a ſcrupulous exactneſs, to the conſtitutional forms of judicature, already eſtabliſhed in this province, which are not only ſuch as we think in themſelves beſt calculated for expediting the courſe of juſtice, but ſuch as are beſt adapted to the underſtanding of the people: where we ſhall appear to have deviated, in any reſpect, from the known forms, our intention has been to recur to the original principles, and to give them that efficacy, of which they were deprived by venal and arbitrary innovations, by partial immunities granted as a relief againſt the general and allowed abuſe of authority, or by ſome radical defect in the conſtitution of the courts in being; and theſe changes we have adopted with the leſs heſitation, as they are all of ſuch a nature, as we are morally certain will prove both of general ſatisfaction, and general eaſe, to the people.

The general principle of all deſpotic Governments, that every degree of power ſhall be ſimple and undivided, ſeems neceſſarily to have introduced itſelf into the courts of juſtice; this will appear from a review of the different officers of juſtice, inſtituted in theſe provinces; which, however unwilling we are to engroſs your time with ſuch details, we deem neceſſary on this occaſion, in proof of the above aſſertions, and in juſtification of the regulations, which we have recommended.

1ſt. The Nazim, as Supreme Magiſtrate, preſides perſonally in the trials of capital offenders, and holds a court, every Sunday, called the Rôz Adawlut.

2d. The Dewan is the ſuppoſed Magiſtrate, for the deciſion of ſuch cauſes, as relate to real eſtates, or property in land; but ſeldom exerciſes this authority in perſon.

3d. The Darogha Adawlut al Aalea, is properly the deputy of the Nazim; he is the judge of all matters of property, excepting claims of land and inheritance; he alſo takes cognizance of quarrels, frays, and abuſive names.

4th. The Darogha Adawlut Dewannee, or deputy of the Dewan, is the judge of property in land.

5th. The Phoujdar is the officer of the police, the judge of all crimes not capital: the proofs of theſe laſt are taken before him, and reported to the Nazim for his judgment and ſentence upon them.

6th. The Câzee is the Judge of all claims of inheritance or ſucceſſion, he alſo performs the ceremonies of weddings, circumciſion, and funerals.

7th. The Mohteſib has cognizance of drunkenneſs, and of the vending of ſpirituous liquors and intoxicating drugs, and the examination of falſe weights and meaſures.

8th. The Muftee is the expounder of the Law. The Câzee is aſſiſted by the Muftee and Mohteſib in his court: after hearing the parties and evidences, the Muftee writes the Fettwa, or the law applicable to the caſe in queſtion, and the Câzee pronounces judgment accordingly. If either the Câzee or Mohteſib diſapprove of the Fettwa, the cauſe is referred to the Nazim, who ſummons the Ijlaſs, or general aſſembly, conſiſting of the Câzee, Muftee, Mohteſib, the Daroghas of the Adawlut, the Moulavies, and all the learned in the law, to meet and decide upon it. Their deciſion is final.

9th. The Canongoes are the Regiſters of the lands. They have no authority: but cauſes of lands are often referred to them for deciſion, by the Nazim, or Dewan, or Darogha of the Dewannee.

10th. The Cootwall is the peace officer of the night, dependant on the Phoujdarree.

From this liſt it will appear, that there are properly three courts for the deciſion of civil cauſes (the Canongoes being only made arbitrators by reference from the other courts) and one for the police and criminal matters. The authority of the Mohteſib in the latter, being too confined to be conſidered as an exception: yet, as all defective inſtitutions ſoon degenerate, by uſe, into that form to which they are inclined, by the unequal prevalence of their component parts, ſo theſe courts are never known to adhere to their preſcribed bounds, but when reſtrained by the vigilance of a wiſer ruler, than commonly falls to the lot of deſpotic ſtates, at all other times, not only the civil courts encroach on each other's authority, but both civil and criminal often take cognizance of the ſame ſubjects; or their power gradually becomes weak and obſolete, through their own abuſes, and the uſurpations of influence. For many years paſt, the Daroghas of the Adawlut al Aalea, and of the Dewanee, have been conſidered as judges of the ſame cauſes, whether of real or perſonal property; and the parties have made their application as chance, caprice, intereſt, or the ſuperior weight and authority of either directed their choice. At preſent, from obvious cauſes, the Dewannee Adawlut is in effect the only tribunal: the Adawlut al Aalea, or the Court of the Nazim, exiſting only in name.

It muſt, however, be remarked, in exception to the above aſſertions, that, the Phoujdarree being a ſingle judicature, and the objects of it clearly defined, it is ſeldom known, but in time of anarchy, to encroach on the civil power, or loſe much of its own authority; this however is much the caſe at preſent.

The court, in which the Câzee preſides, ſeems to be formed on wiſer maxims, and even on more enlarged ideas of juſtice, and civil liberty, than are common to the deſpotic notions of Indian governments.

C.

They muſt be unanimous in their judgment, or the caſe is referred in courſe to the general aſſembly; but the intention of this reference is defeated, by the importance which is given to it, and the inſurmountable difficulties attending the uſe of it, few caſes of diſputed inheritance will happen, in which the opinions of three independent judges ſhall be found to concur. There is therefore a neceſſity, either that one ſhall over-rule the other two, which deſtroys the purpoſe of their appointment, or that daily appeals muſt be made to the Nazim, and his warrant iſſued, to ſummon all learned in the law, from their homes, their ſtudies, and neceſſary occupations, to form a tumultuous aſſembly, to hear and give judgment upon them. The conſequence is, that the general aſſembly is rarely held, and only on occaſions which acquire their importance from that of the parties, rather than from the nicety of the caſe itſelf. The Câzee therefore either adviſes with his colleagues in his own particular Court, and gives judgment according to his own opinion, or, more frequently, decides without their aſſiſtance or preſence.

Another great and capital defect, in theſe courts, is the want of a ſubſtitute or ſubordinate juriſdiction, for the diſtribution of juſtice, in ſuch parts of the province, as lie out of their reach; which in effect confines their operations to a circle, extending but a very ſmall diſtance beyond the bounds of the city of Moorſhedabad. This indeed is not univerſally the caſe; but perhaps it will not be difficult to prove the exceptions to be an accumulation of the grievance: ſince it is true that the Courts of Adawlut are open to the complaints of all men, yet it is only the rich, or the vagabond part of the people, who can afford to travel ſo far for juſtice; and, if the induſtrious labourer is called from the furtheſt part of the province, to anſwer their complaints, and wait the tedious proceſs of the courts, to which they are thus made amenable, the conſequences, in many caſes, will be more ruinous and oppreſſive, than an arbitrary deciſion could be, if paſſed againſt them without any law or proceſs whatever.

This defect is not, however, left abſolutely without a remedy; the Zemindars, Farmers, Shicdars, and other officers of the Revenue aſſuming that power, for which no proviſion is made by the laws of the land, but which, in whatever manner it is exerciſed, is preferable to a total anarchy. It will however be obvious, that the judicial authority, lodged in the hands of men, who gain their livelihood by the profits on the collections of the revenue, muſt unavoidably be converted to ſources of private emolument; and, in effect, the greateſt oppreſſions of the inhabitants owe their origin to this neceſſary evil. The Câzee has alſo his ſubſtitutes in the diſtricts; but their legal powers are too limited to be of general uſe; and the powers, which they aſſume, being warranted by no lawful commiſſion, but depending on their own pleaſures or the ability of the people to conteſt them, is alſo an oppreſſion.

From this variety of materials, we have endeavoured to form the plan of a more compleat, but more extenſive ſyſtem of judicature, by conſtituting two ſuperior courts at the capital, the one compoſed of the united magiſtracy of the Adawlut-al-Aalea, the Adawlut Dewannee, and the Câzee (or Câzee's office), for the deciſion of civil cauſes, the other correſponding to the Phoujdarree, for the trial of criminal caſes.

To prevent the abuſe of the power veſted in theſe courts, and to give Authority to their decrees; each, inſtead of a ſingle judge, is made to conſiſt of ſeveral members; and their inquiries are to be conducted under the inſpection and ſanction of the ſupreme adminiſtration. To render the diſtribution of juſtice equal in every part of the province, ſimilar but inferior courts are alſo propoſed for each ſeparate diſtrict, and accountable to the ſuperior. The uſurped power of the officers of the collections, and of the creditors, over the perſons of their debtors, is aboliſhed.

The judicial authority, which, by the tenth regulation, is ſtill allowed to the farmers of the revenue, is a ſingle exception to the general rule, which we have laid down, of confining ſuch powers to the two courts of Adawlut: but as this is reſtricted to caſes of property not exceeding ten rupees, and as they have no power of inflicting puniſhment or levying fines, we think an ill uſe is not likely to be made of ſo inconſiderable a privilege; eſpecially, as they themſelves are amenable to the courts of juſtice, which will be always ready to receive complaints againſt them; and ſome ſuch means of deciding the trifling diſputes of the ryots upon the ſpot, is abſolutely neceſſary, as they cannot afford, nor ought to be allowed, on every mutual diſagreement, to travel to the Sudder Cutcherry for juſtice.

The deteſtable and authorized exactions of the Phoujdarree Court, which had its exact imitators in every farmer and aumil of the province, under the denomination of Bazee Jumma, have been prohibited; conformably to the wiſe and humane injunctions of our Honourable maſters, who, from the ſame ſpirit of equity, have renounced the right, hitherto exerciſed by the country government, and authorized by the Mahometan law, to a commiſſion on the amount of all debts, and on the value of all property, recovered by the decrees of its courts, a practice repugnant to every principle of juſtice, as it makes the magiſtrate a party in the cauſe on which he decides, and becomes a legal violation of the rights of private property, committed by that power, which ſhould protect and ſecure it.

It has alſo been our aim to render the acceſs to juſtice as eaſy as poſſible.

By keeping exact records of all judicial proceedings, it is hoped that theſe inſtitutions, if they receive the ſanction of your approbation, will remain free from the neglects and charges, to which they would be liable from a leſs frequent inſpection.

We have judged it neceſſary to propoſe ſome exceptions to the order of the Hon'ble Court of Directors, for the total abolition of fines in the Court of Phoujdarree. All offences are not puniſhable by ſtripes; and to ſentence men, of a certain rank in life, or of a ſuperior caſt, to ſuch a public diſgrace, would exceed the proportion of the offence, and extend the puniſhment to all the relations and connections of the delinquent; to ſuffer him to eſcape, with total impunity, would be an injuſtice in the other extreme: in ſuch caſes, there is but the middle way, which we can adopt, with an equal regard to the ſpirit of our Honourable Maſters commands, and the rights of

juſtice, and that is, by levying the fine upon the offender, but converting it to a reparation of the injury.

Our motives, for the abolition of the fees of the Câzee and Muftees, will beſt appear, in the following extract of a minute of our proceedings, at Kiſhen-nagur, relating to the Haldarree, or tax on marriages; which, for the reaſons therein aſſigned, we forbad to be levied any longer, and deducted from the ſettlement of Nuddea. Convinced of the pernicious effects of ſo impolitic a tax, we propoſe to grant the ſame exemption to the other diſtricts ſubject to our direction, and ſubmit it to your conſideration, whether it will not be proper to make it general throughout the province.

The ſame reaſons, which have induced us to aboliſh the Haldarree, operate with equal force againſt the fees of the Câzee and Muftees, which have always proved a heavy grievance to the poor, and an impediment to marriage. We have therefore determined on a total abolition of theſe, and of the other leſs dues, hitherto allowed to theſe officers; and to put them on the footing of monthly ſervants, with fixed ſalaries: We were led to this reſolution, not only by the ſpeculative advantages, which it promiſed; but by the experience, which this country has already had, of its effects, from a ſimilar inſtitution of the Nabob Meer Coſſim, about the beginning of the year 1763, which (as we are aſſured) was productive of more marriages than had been known to take place for years before; and inſtances have been even quoted, of men of forty, and fifty years of age, who 'till then had led a life of celibacy, immediately availing themſelves of this exemption, to enter into a ſtate, from which they had been before precluded, ſolely by the want of means, to ſupport the various expences attending it.

Extracts of the Proceedings of the Committee at Kiſhennagur, dated the 28th June, 1772.

"The Collector explains the Haldarree, or cuſtom on marriage, to be a tax levied by government, of the variable rate of three rupees, three rupees eight annas, and four rupees four annas, each. Beſides the Haldarree, there are fees paid to the Câzee and Muftees: the former receive, from the principal inhabitants, two rupees; from the ſecond claſs, one rupee eight annas, and from the loweſt claſs, one rupee: the fees of the Muftees are received from the muſicians, and other people who officiate at the feſtival: ſo that, on the whole, the fees of marriage may be eſtimated at ſix rupees for each, excluſive of the dues, or voluntary benefactions of the Gentoos, to their Brahmins."

"The Committee are of opinion, and reſolve accordingly, that all the fees and taxes of this article, which produce a revenue to government, be aboliſhed, as tending to diſcourage population, an object at all times of importance to government, but more eſpecially at this time, from the great loſs of inhabitants, which the country has ſuſtained, by the late famine, and the mortality which followed it. They are further of opinion, that the aboliſhing of the fees to the Câzee and Muftee, will afford a great relief to the inhabitants, as it will not only abſolve them from the fees themſelves, but alſo from the effects of the oppreſſive mode, in which theſe dues are exacted. But on this

ſubject, they judge it will be more proper to come to a general reſolution at the city, and therefore poſtpone the further conſideration of it, until their arrival at that place."

We have judged it neceſſary, to add to the Regulations, with reſpect to the Courts of Phoujdarry, a propoſal for the ſuppreſſion and extirpation of Decoits, which will appear to be dictated by a ſpirit of rigour and violence, very different from the caution and lenity of our other propoſitions; as it in ſome reſpect involves the innocent with the guilty. We wiſh a milder expedient could be ſuggeſted, but we much fear that this evil has acquired a great degree of its ſtrength, from the tenderneſs and moderation which our Government has exerciſed towards theſe banditti, ſince it has interfered in the internal protection of the provinces. We confeſs, that the means which we propoſe, can in no wiſe be reconcileable to the ſpirit of our own conſtitution: but till that of Bengal ſhall attain the ſame perfection, no concluſion can be drawn from the Engliſh law, that can be properly applied to the manners or ſtate of this country. The decoits of Bengal are not, like the robbers in England, individuals driven to ſuch deſperate courſes by ſudden want: they are robbers by profeſſion, and even by birth; they are formed into regular communities, and their families ſubſiſt by the ſpoils which they bring home to them: they are all, therefore, alike, criminal wretches, who have placed themſelves in a ſtate of declared war with Government, and are therefore wholly excluded from every benefit of its laws. We have many inſtances of their meeting death with the greateſt inſenſibility; it loſes therefore its effect as an example: but when executed in all the forms and terrors of law, in the midſt of the neighbours and relations of the criminal, when theſe are treated as acceſſaries to his guilt, and his family deprived of their liberty, and ſeparated for ever from each other; every paſſion, which before ſerved as an incentive to guilt, now becomes ſubſervient to the purpoſes of ſociety, by turning them from a vocation, in which all they hold dear, beſides life, becomes forfeited by their conviction: at the ſame time, their families, inſtead of being loſt to the community, are made uſeful members of it, by being adopted into thoſe of the more civilized inhabitants. The ideas of ſlavery, borrowed from our American colonies, will make every modification of it appear, in the eyes of our own countrymen in England, a horrible evil. But it is far otherwiſe in this country: here ſlaves are treated as the children of the families to which they belong; and often acquire a much happier ſtate, by their ſlavery, than they could have hoped for by the enjoyment of liberty; ſo that, in effect, the apparent rigour, thus exerciſed on the children of convicted robbers, will be no more than a change of condition, by which they will be no ſufferers; though it will operate as a warning on others; and is the only means, which we can imagine, capable of diſſipating theſe deſperate and abandoned ſocieties, which ſubſiſt on the diſtreſs of the general community.

(Note.) *Provincial Adaulats were inſtituted, and the Members of Provincial Councils were appointed to ſuperintend them, on* 23d November, 1773. See 20th Article of Revenue Regulations of that date. *Other proviſions for the adminiſtration of juſtice, antecedent to the preceding rules, as well as ſubſequent to them, and blended with rules regarding the Revenue, will be likewiſe found in the Revenue Regulations.*

The Public Regulations, cited in the 10th Article of the foregoing rules (p. 3.), *are relative to the ſettlement and collection of the Revenue, and will be inſerted in their place.* See Revenue Regulations, 14th May, 1772.

REGULATIONS,

FOR THE

ADMINISTRATION OF JUSTICE,

RECORDED ON THE REVENUE

PROCEEDINGS OF GOVERNMENT,

On the 28th March, 1780;

AND

PASSED BY THE

GOVERNOR GENERAL AND COUNCIL,

ON THE 11TH APRIL, 1780.

AS ſeveral important changes have taken place, in the conſtitution and civil government of theſe provinces, ſince the period when the late Preſident and Council adopted their plan for the adminiſtration of juſtice; and as theſe changes have not hitherto been provided for, in any general and uniform ſyſtem; the Governor General and Council, therefore, after maturely and attentively conſidering the ſtate of this country, with reſpect to its preſent circumſtances, and the manners and cuſtoms of its inhabitants, have reſolved, that the following general plan and regulations ſhall now be eſtabliſhed, for the more effectual and regular adminiſtration of juſtice, in the country civil courts of theſe provinces.

1ſt. That there ſhall continue to be courts of civil judicature in each of the grand diviſions of Calcutta, Moorſhedabad, Burdwan, Dacca, Purnea, and Patna; and that, over each of theſe courts, a Company's covenanted ſervant ſhall preſide, under the title of Superintendant of Dewannee Adaulut.

2d. That the Superintendant of each Dewannee Adaulut ſhall be appointed by the Governor General and Council; and that his juriſdiction ſhall be ſeparate from, and independent of, the Provincial Councils.

3d. That the Provincial Councils, already eſtabliſhed, ſhall continue to try, and decide, in the ſame manner as they have hitherto been allowed to practice, on all cauſes, which have an immediate relation to the public revenue; ſuch as demands of Government on Zemindars, Talookdars, Chowdries, Farmers, Muthaaheds, Waadadars, Securities, Aumils, Taſſeeldars, Etmaumdars, Shaikdars, or others employed in the collections, or any ways reſponſible for the revenues, immediately under the Provincial Councils. Demands of Zemindars, Talookdars, Chowdries, Farmers, Muthaaheds, Waadadars, Securities, Aumils, Taſſeeldars, Etmaumdars, Shaikdars, &c. on their under farmers, Malaamins, inferior land-holders and collectors, or others, from whom rents or revenues are immediately due to them; and, in ſhort, all demands, for rents or revenues, of perſons employed in the collection of them, either officially or hereditary, in the different gradations downwards, from Government, to the Ryots, or immediate occupants of the ſoil; and again, in the ſame manner, all complaints of Ryots, and perſons of any of the other abovementioned denominations, againſt the perſons to whom they pay revenue, in the different gradations upwards, for irregular or undue exactions; and, in general, for all oppreſſions, which do not fall under the cogniſance of the Fouzdarry Courts. The Provincial Councils ſhall further try and decide all diſputes, relative to boun-

daries, except within the town of Calcutta, and limits of Punchawun Gang, or 55 Dhees, which are to be reſerved to the Superintendant of the Calcutta Adawlut; as being likely to take up too much of the time and attention of the Provincial Council, from the number and intricacy of the ſuits, which may be expected to ariſe, about the bounds and limits of landed property; and alſo, all claims, for money lent to Zemindars, Talookdars, and Chowdries, for the payment of the revenue.

4th. That all cauſes of inheritance to Zemindarries, Talookdarries, Chowdrahies, or other real property, all mercantile diſputes, all matters of perſonal property, all diſputes about bounds and limits of landed property, within the town of Calcutta, and limits of Punchawun Gang, or 55 Dhees; and, in ſhort, all other cauſes of a civil nature, not deſcribed in the third article of theſe regulations, ſhall be ſubject to the juriſdiction of the Superintendant of the Court of Dewannee Adaulut.

5th. That the Superintendant of the Dewannee Adaulut, ſhall hold his courts, three times in every week; and as frequently as occaſion may require: but that no cauſe ſhall be heard, or determined, except in open court; and in the preſence of ſome of the principal officers.

6th. That the proceſs, obſerved, for tryſng cauſes, in the Provincial Dewannee Adawlut, ſhall be as follows: Firſt, to file and read the petition of the complainant. Secondly, to ſummon the defendant, and require ſecurity, from him, to anſwer the plaint; which if he does not give, the Superintendant may either confine him by peons, or otherwiſe, at his diſcretion: to allot a limited time, for the defendant to give anſwer; which, when received, ſhall alſo be filed and read. Thirdly, to hear the parties *vivâ voce*, and if neceſſary, examine evidences. And, Laſtly, to paſs decree. That if, in adhering to this order of proceſs, the defendant ſhall evade, or delay, giving anſwer, within the limited time; the court ſhall proceed to hear, and try, the cauſe, *ex parte*; and to give judgment, according to the evidence before them.

7th. The petition or plaint, being the foundation of the cauſe, muſt be an authentic document; and ſigned or ſealed by the plaintiff, or his authorized Vacquel and contain a particular ſtate of the caſe. No plaint to be regiſtered except in this form, and delivered, either by the plaintiff in perſon, or by a Vacqueel or Vacqueels, having written authority from him. The name of ſuch Vacqueel, or Vacqueels, to be regiſtered; and none, but authorized Vacqueels, to be allowed to ſpeak in the cauſe. The ſame rules muſt be obſerved, by the defendant, in his anſwer; and in the rejoinders or replies, which may follow. The Superintendant to ſummon witneſſes by Tulluh, and to inflict moderate fines, or puniſh by impriſonment, for non-attendance.

8th. That all cauſes ſhall be brought before the court, and the proceſs conducted, in the order in which the plaints are filed, and the evidences and exhibits prepared.

9th. That complete records ſhall be kept, in the following form: That at the

concluſion of every trial, the petition, anſwer, rejoinder, and what other reply may follow, evidence, orders of courts, in the order they are made, and, laſtly, the decree or judgment, be written on a roll of ſtrong paper, and authenticated by the ſeal of the court, the ſignature of the Superintendant, and counterſigned by the different officers; and delivered, in this form, to the keeper of the records; who is to be anſwerable for the ſame. The above to be deemed a complete record of the trial; and copies thereof, under the ſeal of the keeper of the records, to be given to all perſons applying to him for the ſame, on payment of a certain fee, as ſhall hereafter be ſpecified; and ſuch copies, ſo authenticated, to be deemed, and received, as evidence, in any other court of Dewannee Adaulut, and in the Court of Appeals. This record to be kept in the Perſian or Bengal language, as the petitions and anſwers, or exhibits, are delivered, but the orders of courts to be in Perſian; and no Engliſh petitions to be regiſtered.

10th. That each Superintendant ſhall keep an abſtract regiſter of his Adaulut, in Engliſh; containing the names of the plaintiff and defendant, ſubſtance of the ſuit, the ſubſtance of the decree, the date of the cauſe being filed, and the date of the decree being paſſed, and this abſtract ſhall be tranſmitted, monthly, to the Sudder Dewannee Adaulut.

11th. All warrants, for parties to appear before the Dewannee Adaulut, ſhall iſſue from the Adaulut, under the ſeal of the court, and the ſignature of the Superintendant, but the Chief of the Provincial Council may, of his own authority, iſſue his warrant, under the ſeal of the Provincial Council, for apprehending any perſon, whom he may require to anſwer any charge, before the Dewannee Adaulut, in caſes which he ſhall judge of ſuch urgency as to require it.

12th. All decrees of the Adaulut ſhall be iſſued, under the ſeal of the court, and ſigned by the Superintendant; and copies ſhall be delivered, by the Superintendant himſelf, in the public Cutcherry.

13th. The Superintendant of the Adaulut ſhall iſſue his ſummons, under the ſeal. He ſhall not ſummon, from the Mofuſſil, Farmers or Zemindars, or perſons employed in the collections, immediately under the Provincial Councils; but he may order their Vacqueels to appear; and, in caſe of their not ſending Vacqueels, properly authorized, he is to apply to the Chief and Provincial Council, to ſummon the parties themſelves, as directed in the 14th article. He may ſummon inferior perſons, from the Mofuſſil, under the following reſtrictions, viz. That he ſhall not ſend peons, or any other perſons, with authority, into the lands belonging to the Zemindars and Farmers, excepting only, on ſuch occaſions, as ſhall indiſpenſably require it, for the immediate execution of juſtice. That, on ſuch occaſions, a warrant, under the public ſeal, and ſigned by the Superintendant, ſhall be given, in writing, to the officers employed; and be recorded, in the judicial proceedings, with the reaſon for iſſuing it; but that no perſon be

ſummoned on ordinary occaſions, excepting by a Tullub chity to the Farmer, or order requiring him to produce the perſon ſummoned in a certain ſpace of time. That the Superintendant ſhall further avoid, as ſtudiouſly as poſſible, ſummoning any perſons from the Mofuſſil, who are any ways connected with the revenue, during the months of Badhoon, and Aſſin, and Augun, and Poos, unleſs in caſes, which call for an immediate inquiry.

14th. Should the Superintendant require the perſonal attendance of the Farmer, Zemindar, or Collector, he muſt make application to the Chief and Council; who, if they judge it proper, will iſſue a ſummons to ſuch Farmer, or Zemindar or Collector, under the provincial ſeal and ſignature of the Chief and Dewan: but in all caſes where they think proper to decline iſſuing ſuch ſummons, at the requiſition of the Superintendant, they ſhall aſſign their reaſons, by letter, to the Governor General and Council, for ſuch refuſal.

15th. It ſhall be the duty of the Superintendant, to prevent the interference of his private ſervants, in any cauſe depending, or intended to be brought on, before his court; and to prevent them from having any connection with the parties.

16th. It ſhall be obſerved, as a rule of the Adaulut, to ſet down, from among the cauſes, in the order in which they ſtand upon the file, ſuch as are ready for hearing; and to give proper and timely notice, to the parties, of the day, in which they will come to be heard.

17th. All Arzees, on being preſented, ſhall be ſigned and numbered, by the Superintendant; and copied, in a book, by a Moherer, or Officer of the Court; but they ſhall on no account be delivered to any one officer, but the one whoſe particular duty ſhall be to copy and regiſter them.

18th. And furthermore, to prevent the abuſe of private influence from obſtructing, or diverting, the courſe of Juſtice, it is hereby declared, that every Officer of the Dewannee Adaulut, or any ſervant, or other dependant of the Superintendant, who ſhall be convicted, of receiving money, or other valuable conſideration, directly or indirectly, from any party, in a ſuit, depending before the Adaulut, ſhall be puniſhed in an exemplary manner, either by fine, impriſonment, or corporal puniſhment, at the diſcretion of the Superintendant.

19th. That as the litigiouſneſs and perverſeneſs of the natives of this country, in their ſuits and complaints, are often productive, not only of inconvenience and vexation to their adverſaries, but alſo of endleſs expence and actual oppreſſion; it is to be obſerved as a ſtanding rule, that complaints of ſo old date as twelve years ſhall not be actionable, unleſs where the complainant can ſhew, by clear and poſitive proof, that he had actually demanded payment of the ſum in queſtion, or otherwiſe directly preferred his claim, for the matter in diſpute, within that period; and prove to the ſatisfaction of the Superinten-

dant, that either from minority, or other good and ſufficient cauſe, he had been precluded from the means of procuring redreſs; in which caſes, the Superintendant of the Adaulut, ſeeing good cauſe, is to admit the ſuit.

20th. That if the parties ſhould be found guilty, as is often the caſe, from litigiouſneſs and perverſeneſs, of flying from one court to another, in order to prevent and protract the courſe of juſtice; the party ſo tranſgreſſing ſhall be conſidered as nonſuited, and, according to his degree in life, and the notoriety of the offence, be liable to fine, impriſonment, or corporal puniſhment.

21ſt. That as caſes may occur, in which it will be highly neceſſary, for the welfare of the community, to curb and reſtrain trivial and groundleſs complaints, and to deter chicane and intrigue, which paſſions, amongſt theſe people, often work to the undoing of their neighbours; a diſcretion ſhall, in ſuch caſe, be left to the Superintendant, either to impoſe a fine, not exceeding five rupees, or inflict corporal puniſhment, not exceeding twenty laſhes with a rattan; according to the degree of the offence, and the perſon's ſtation in life.

22d. That intereſt ſhall not be taken, by creditors, or admitted, by the Superintendant of the Dewannee Adaulut, either in caſes of paſt loans, above the rates eſtabliſhed in the 18th article of the former plan for the adminiſtration of juſtice; namely, on ſums not exceeding 100 rupees principal, an intereſt at rupees 3. 2. per cent. per menſem, or half an anna in the rupee: on ſums above 100 rupees principal, an intereſt of 2 rupees per cent. per menſem: the principal and intereſt to be diſcharged according to the condition of the bond; and all compound intereſt, ariſing from an intermediate adjuſtment of accounts, to be declared unlawful and prohibited: and in caſes of future loans, no higher intereſt to be allowed, than 2 per cent. per menſem, or 24 per cent. per annum, where the principal ſhall be under 100 rupees, and one per cent. per menſem, or twelve per cent. per annum, where the principal ſhall exceed 100 rupees: and publication of this to be made.

When a debt is ſued for, upon a bond, which ſhall be found to ſpecify a higher intereſt than the eſtabliſhed rates, the intereſt ſhall be wholly forfeited to the debtor, and the principal only recoverable; and that all attempts to elude this law, by deductions from the original loan, under whatever denomination, ſhall be puniſhed, by a forfeit of a moiety of the amount of the bond to the Government, and the other half to the debtor. It ſhall further be in the diſcretion of the Superintendant, in the caſes of paſt loans, on a review of the circumſtances of the debt, and condition of the debtor, to ſettle the payment of the debt, according to a known and eſtabliſhed cuſtom of the country; namely, where the intereſt has accumulated, ſo as to exceed the principal, to reduce it to one half of the principal; or where the intereſt has exceeded one half of the principal, to reduce it to a quarter.

23d. That all bonds ſhall, in future, be executed in the preſence of two ſubſcribing witneſſes; and publication hereof made. This not, however, to apply to bills of exchange, receipts, or notes of hand, in which the cuſtom of the country is to be referred to, and abided by.

24th. That whereas it has been ſo much the practice, in this country, for individuals to exerciſe a judicial authority over their debtors; a practice which is not only in itſelf unlawful and oppreſſive, ſeeing a man thereby becomes the judge in his own cauſe, but which is alſo a direct infringement of the prerogative and power of the regular Government; that publication ſhall therefore be made, forbidding the exerciſe of all ſuch authority, and directing all perſons, to prefer their ſuits to the eſtabliſhed court of Adawlut: and that the Superintendant ſhall particularly attend to this regulation, which it is apprehended will prove the means of relief to the helpleſs ryot, from his mercileſs creditor the money-lender. But that the Superintendant, for the relief of the poorer people, ſhall have the power of referring cauſes, not exceeding 100 rupees, to Zemindars or public officers, or arbitrators choſen by the parties, reſiding near the ſpot, where the cauſe of action ſhall have ariſen: ſubject, however, to his reviſal, in caſes of flagrant injuſtice or partiality.

25th. That, in all caſes of diſputed property, regarding lands, houſes &c. where a local inveſtigation is required, an Aumeen ſhall be choſen, with the mutual conſent of the parties; or, if they cannot agree in the choice of one perſon, each ſhall have the privilege of nominating his own; or if they neglect to do either, the Superintendant ſhall appoint one for them. The Superintendant ſhall decide, on the report of circumſtances, as delivered by the Aumeen; or on their joint report, in caſe there are two. The Superintendant is alſo to attend, that the Aumeens do not accumulate expences, by unneceſſary delays, but that their ſcrutiny and their wages be limited to the time he judges ſufficient for performing the ſervice in queſtion; the expence of the inquiry to be defrayed by the perſon who is caſt.

26th. That, in all caſes of diſputed accounts, partnerſhips, debts, doubtful or conteſted bargains, non-performance of contracts, and ſo forth, it ſhall be recommended to the parties, to ſubmit the deciſion of their cauſes to arbitration; the award of which ſhall become a decree of the Dewannee Adaulut: the choice of the arbitrators is to reſt with the parties; but they are to decide the cauſes, without fee or reward. The Superintendant, on the part of Government, is to afford every encouragement in his power, to the inhabitants of character and credit, to become arbitrators; but is not to employ any coercive means for that purpoſe.

27th. That, in all ſuits regarding inheritance, marriage and caſt, and other religious uſages, or inſtitutions, the laws of the Koran with reſpect to Mohamedans, and thoſe of the Shaſter with reſpect to Gentoos, ſhall be invariably adhered to: on all ſuch occaſions, the Molavies, or Brahmins, ſhall reſpectively attend, to expound the law, and they ſhall ſign the report, and aſſiſt in paſſing the decree.

28th. That the Superintendant of the Dewanny Adaulut ſhall have a right of decreeing, to the party in whoſe favor judgment is given, any ſpecified ſum, for coſts, within the real amount; or, in general, to decree with coſts. The bill, in both caſes, to be taxed by the Superintendant.

29th. That, on the decree being paſſed, the Superintendant may enforce it, by ordering an attachment of the perſon of the party who is caſt; or the ſale of his effects at Auction; or by giving, to the party who hath carried his cauſe, poſſeſſion of the property comprehended under the decree. That it ſhall, however, be left to the good will of the parties, and, finally, to the diſcretion of the Superintendant, in ſome caſes to adjuſt the payment by a kiſtbundee taken from the party who is caſt.

30th. That the decree of the Dewannee Adaulut ſhall be final, in all cauſes for ſums not exceeding ſicca rupees 1,000; alienated or free lands not exceeding rupees 100 annual produce; and for Malguzarry lands, in which the jumma, or annual revenue of Government, doth not exceed rupees 1000.

31ſt. That where the ſum, or value decreed, whether in money, effects or lands, ſhall exceed the above amount, an Appeal ſhall lie, from the decree of the Superintendant of the Dewannee Adaulut, to the Governor General and Council, in the Court of Sudder Dewannee Adaulut.

32d. That the Appeal muſt be made within ten days after the decree, and is to be noted in the margin of the trial: and that, as it may be a diſcouragement to the appellant to preſent his petition of Appeal, to the ſame perſon, who has decided againſt him in the firſt inſtance, that all petitions of Appeal, againſt deciſions of the Superintendants of Adaulut, ſhall be preſented to the Chief and Provincial Council of the reſpective diviſions; who are to tranſmit the ſame, without delay, to the Governor General and Council, in their department of Sudder Dewannee Adaulut.

33d. That no Appeals ſhall be received, from an award of arbitration; unleſs the arbitrators ſhall have been previouſly tried, and convicted, in any Phoujdarree court, of ſubornation of witneſſes, of a colluſion with the parties, of having received any bribe or conſideration for their award; or unleſs the witneſſes, on whoſe teſtimony the cauſe in queſtion was decreed, ſhall have been previouſly tried and convicted, in any Phoujdarree court, of having given falſe evidence in the ſaid cauſe; but that all criminal accuſations, although ariſing from any cauſe heard and decreed in the Dewannee Adaulut, are cognizable only by the Phoujdarree Court.

34th. That perſons found guilty of preferring groundleſs, litigious, or vexatious Appeals, ſhall be puniſhed, at the diſcretion of the Governor General and Council, by an enhancement of the coſts, which ſhall be given to the reſpondent, as a compenſation for the trouble and expence he ſhall have ſuſtained.

35th. That, in caſes where an Appeal is made, from the decree of the Superintendant, to the Governor General and Council, the appellant, if defendant in the original ſuit, on delivering his petition of Appeal, ſhall be obliged to depoſit the amount of the decree, or give good and ſufficient ſecurity for the paymgnt of the decree, in caſe it ſhould afterwards be confirmed by the Governor General and Council. The coſts to be immediately paid.

36th. That a commiſſion ſhall be taken, on every plaint filed, at the commencement of a cauſe, in the proportion of the ſums, or value ſued for, in the bill of plaint. The rates of commiſſion to be as follows:

On all ſums not exceeding		1000, 5 per cent.
On all do.	do.	5000, 4 per cent.
On all do.	do.	10,000, 3 per cent.
On all ſums above		10,000, 2 per cent.

That, where the ſuit is for property in lands, the lands ſhall be eſtimated according to their annual produce, or jumma; that is to ſay, alienated or free lands, at ten times the amount of their annual produce; and Malguzary lands, at the amount of one year's Jumma, or revenue of government: and the commiſſion, taken on filing the plaint, ſhall be calculated accordingly.

37th. That every plaint muſt neceſſarily ſtate the ſum or value; and, in diſputes regarding land, the annual produce, or jumma, of the ſubject of the ſuit.

38th. That the commiſſion ſhall be depoſited, by the plaintiff, at the time of filing his bill of plaint; but, on the decree being paſſed, the defendant ſhall be immediately compelled to pay the amount of the commiſſion, due on the ſum which may be decreed againſt him, calculated at the ſame rate, or per centage, as that which was originally depoſited by the plaintiff: and the amount, ſo exacted from the defendant, ſhall be repaid, by the court, to the plaintiff.

39th. That, in caſes of appeal, the appellant ſhall be obliged to depoſit a further commiſſion, equal to one half of the ſum, originally depoſited by the plaintiff; which, in caſe the appellant carries his appeal, and obtains a reverſal of the decree of the Provincial Adaulut, ſhall afterwards be recovered from the reſpondent, and repaid to him.

40th. That fees ſhall be eſtabliſhed on every Tullub Chitty, Perwannah, or written order, of whatever kind, iſſued during the courſe of the cauſe; to be exacted, from the party, at whoſe application ſuch order is iſſued: and that fees ſhall alſo be taken, on every exhibit, at the rate of two annas per ſheet.

41ſt. That the ſums received, agreable to the 36th. 38th. 39th. and 40th. Articles of theſe regulations, either on account of commiſſion, or for fees on orders and exhibits, ſhall be reſerved, and appropriated, by the Superintendant, as a fund, for defraying the charges of the Court: and that the Superintendant ſhall deliver monthly, to the Governor General and Council, a particular account of his receipts, and expenditures.

42d. That the Superintendant, in all points which have not been expreſsly provided for by theſe regulations, ſhall act diſcretionally, and according to the beſt of his judgment; and that he ſhall not be removable from his office, except at his own requiſition, or on proof of ſome miſdemeanour.

43d. That the above rules ſhall be read over, to each Superintendant, before he is inveſted with his office; and that he ſhall be required to take the following oath, "I do ſwear, that I will adminiſter juſtice, to the beſt of my ability, knowledge, and judgment; without fear, favour, promiſe, or hope of reward; and that I will not receive, directly or indirectly, any preſents or Nuzzers, either in money or in effects, of any kind, from any party, in any cauſe; or from any perſon whatſoever, on account of any ſuit, to be inſtituted, or which may be depending, or have been decided, in the Court of Adaulut, under my juriſdiction; nor will I knowingly permit any perſon, or perſons, under my authority, or in my immediate ſervice, to receive, directly or indirectly, any preſents or Nuzzers, either in money or in effects, of any kind, from any party, in any cauſe, or from any perſon whatſoever, on account of any ſuit, to be inſtituted, or which may be depending, or have been decided, in the Court of Adaulut, under my juriſdiction; and that I will render true and faithful account of all ſums, received for commiſſion, on cauſes and fees of court, and of all expenditures."

44th. That theſe regulations ſhall be conſidered as binding, only until a new arrangement ſhall be made, by authority of Parliament.

REGULATIONS,

FOR THE,

SUDDER AND PROVINCIAL DEWANNEE ADAULUTS,

PASSED

On the 3d November, 1780.

1ſt. THAT all rules, orders, regulations and reſolutions, reſpecting the Court of Sudder Dewannee Adaulut, and Provincial Dewannee Adauluts, heretofore eſtabliſhed, by the authority of any former Preſident and Council, Governor General and Council, or Court of Sudder Dewannee Adaulut, be confirmed, and be, and remain, ſtanding rules and orders of the ſaid courts reſpectively; except in ſuch matters and things, as the ſame may be varied by the rules and orders hereby eſtabliſhed, or which ſhall hereafter be eſtabliſhed, by the Governor General and Council, or by the Sudder Dewannee Adaulut.

2d. That the Judges of the Provincial Dewannee Adauluts, do execute and perform all ſuch matters and things, which were required to be executed and performed, by the Collectors, Provincial Councils, or any Judge or Judges of any Provincial Dewannee Adaulut, reſpecting the adminiſtration of juſtice, in the month of May 1772,* or by any ſubſequent rule, order, regulation, or reſolution of the late Preſident and Council, Governor General and Council, or Court of Sudder Dewannee, in as much as the ſame are conſiſtent with, or conformable to, the rules, orders, regulations and reſolutions, hereby made.

* See Revenue Regulations, 14th May 1772.

3d. That it be not competent to the Sudder Dewannee Adaulut to proceed on any appeal, in any cauſe heretofore decreed and adjudged, in any Provincial Dewannee Adaulut, unleſs the ſame ſhall have been preſented to a Provincial Dewannee Adaulut, or to the Sudder Dewannee Adaulut, before the firſt day of June, which ſhall be in the year of our Lord 1781. That all appeals, againſt any judgment, decree, or final order, which ſhall be made in any Provincial Dewannee Adaulut, after the firſt day of November 1780, ſhall be preſented, within three calendar months, after the day of the decree given, and copies thereof delivered to the parties. That, in every caſe, where any appeal ſhall be preſented to the Provincial Dewannee Adaulut, the Judge of the ſaid Court ſhall immediately indorſe thereon, in his own hand writing, and ſign it with his name, the day of the month, and year, in which ſuch petition was preſented; and, if the original cauſe of action be concerning the right or poſſeſſion of any houſes or lands, all proceedings ſhall immediately be ſtayed, and no execution had, or poſſeſſion given, under the judgment, decree, or final order appealed againſt, until the ſaid appeal ſhall have been finally determined, in the Sudder Dewannee Adaulut: provided, that the party appealing ſhall enter into good and ſufficient ſecurity, to abide by ſuch judgment, in a ſum not exceeding five hundred Sicca Rupees, for the purpoſe of anſwering ſuch coſts, as the oppoſite party may be put to, in conſequence of ſuch appeal: and, if the petition of appeal be in any caſe, in which any ſum of money, goods, or chattels, be adjudged to the plaintiff, then ſuch ſecurity to be taken, for the ſum decreed, or for the value of ſuch goods and chattels, together with five hundred Sicca Rupees, for the purpoſe of anſwering ſuch coſts, as the oppoſite party may be put to, in conſequence of ſuch appeal.

4th. That the Judge of ſuch Provincial Dewannee Adaulut ſhall, within ten days next after the receipt of ſuch appeal, certify under his hand and ſeal, to the Judge of the Sudder Dewannee Adaulut, the original Arzee, petition, or plaint, together with the original anſwers, or anſwer, of the defendants or defendant, the original depoſitions taken in the caſe; the original exhibits, and every rule, order, decree, judgement, matter, or thing, in any wiſe relating to the ſaid caſe, and ſhall cauſe to be made true and exact copies of all ſuch proceedings as ſhall be tranſmitted to the Sudder Dewannee Adaulut, authenticated by the Regiſter, or Clerk, of ſuch Provincial Dewannee Adaulut; which ſaid copies ſhall be and remain of record in ſuch court. That, where any Appeal ſhall be preſented directly to the Sudder Dewannee Adaulut, the Judge of the court, in which the original cauſe was inſtituted, ſhall obey all ſuch rules and orders of the Sudder Dewannee Adaulut, as ſhall be certified to him, under the ſeal of the ſaid Sudder Dewannee Adaulut, witneſſed by the Judge of the Sudder Dewannee Adaulut, and ſigned by the Regiſter of the ſaid court.

5th. That, before any appeal be allowed by the Sudder Dewannee Adaulut, beſides what was heretofore required by the ſaid court, the party appealing ſhall enter into ſuch ſecurity, for the due proſecution of his appeal, and payment of coſts, as the ſaid Sudder Dewannee Adaulut ſhall think fit to award.

6th. That, upon paſſing of every decree, judgment, or final order, in any cauſe, in the Provincial Dewannee Adaulut, each party be immediately furniſhed with a copy thereof, and that the ſame be tendered, or delivered to them, or their vackeels, properly authorized: and the Regiſter, or chief Clerk, of the ſaid court, ſhall endorſe thereon, the date of the time on which ſuch decree was made, and copies delivered, and authenticate the ſame, with his ſignature, in his own handwriting.

7th. That all proceſs, as well to the party as witneſſes, and all proceſs whatſoever, and all rules and orders for the execution of any judgment, decree, or final order, or any matter whatſoever, relating to any cauſe, depending in the Sudder Dewannee Adaulut, be directed to the Judge of the Provincial Dewannee Adaulut, in which the cauſe of action ſhall originally have ariſen, or in whoſe juriſdiction the lands be ſituated, or the parties or witneſſes ſhall be or reſide; and that every ſuch proceſs, rule, and order, do limit a time certain, within which the ſame ſhall be ſerved, executed, and returned to the ſaid Sudder Dewannee Adaulut; which proceſs, rules, and orders, ſhall be ſealed with the ſeal of the ſaid Sudder Dewannee Adaulut, atteſted by the Judge thereof, and authenticated by the Regiſter thereof; and the Judge, to whom the ſame ſhall be directed, ſhall execute the orders contained in ſuch proceſs, rule, or order, and return the ſame, within the time limited; or return, to the ſaid court, good and ſufficient reaſon why the ſame hath not been ſerved or executed; and what the ſaid Judge hath done in purſuance thereof. That if any Judge, to whom ſuch proceſs, rule and order, ſhall be directed, ſhall wilfully diſobey or neglect to perform the commands therein contained, or ſhall make a falſe return thereto, ſuch Judge ſhall be liable to be ſuſpended from his office, by order of the Judge of the Sudder Dewannee Adaulut, until the Governer General and Council ſhall, upon report to be made to them by the Sudder Dewannee Adaulut, have examined into, and determined on, the matter reported to them: and, if the Sudder Dewannee Adaulut ſhall ſuſpend ſuch Judge, the Judge of the Sudder Dewannee Adaulut ſhall, within ten days after ſuch ſuſpenſion, report to the Governor General and Council, ſuch ſuſpenſion, together with the cauſe thereof; and certify, under his hand, and the ſeal of the Sudder Dewannee Adaulut, all ſuch proceedings, and exhibits, and all other matters, which may be neceſſary for the examination into, and determination upon, ſuch ſuſpenſion; and ſhall, on requiſition of the Governor General and Council, tranſmit to them all ſuch papers and proceedings in the cauſe, which they may eſteem neceſſary for their inveſtigation.

8th. The Sudder Dewannee Adaulut is hereby authorized and impowered, to frame rules of practice, and ſtanding orders, for the adminiſtration of juſtice, as well in the ſaid Sudder Dewannee Adaulut, as in the Provincial Dewannee Adauluts, ſo that the ſame be tranſmitted to the Governor General and Council, under the ſeal of the Sudder Dewannee Adaulut, for their approbation, controul, or alteration; and the Judges of the reſpective provincial courts are hereby ſtrictly enjoined and commanded, in every act, matter, or thing by them to be done, ſtrictly to conform to the rules and

regulations hereby tranſmitted to them, and to all other rules of practice, and ſtanding orders, for the adminiſtration of juſtice, which ſhall hereafter be tranſmitted to them from the Sudder Dewannee Adaulut, under the ſeal of the ſaid court, witneſſed by the Judge thereof, and ſigned by the Regiſter thereof.

9th. That the Judge of the Sudder Dewannee Adaulut be authorized, to make ſuch reaſonable adjournments, as, conſiſtently with the buſineſs thereof, he may think fit; and in caſe of his abſence through illneſs, that the Regiſter do make ſuch adjournments as he ſhall direct.

10th. That the Judge of the Sudder Dewannee Adaulut may, for juſt cauſe, remove any officer or officers of the ſaid court; and that, in caſe of the death, removal, reſignation, or other avoidance of any office held under the ſaid court, the Judge of the ſaid court be authorized, to appoint any other perſon or perſons, duly qualified, to ſuch office or offices as ſhall have become vacant. That, in caſe of vacancy of the office of Regiſter to the ſaid court, no appointment be made thereto, without the conſent and approbation of the Governor General and Council, and all ſuch officers, ſo appointed, ſhall be entitled to have, and receive, ſuch ſalaries and emoluments, as were enjoyed by their predeceſſors, reſpectively.

11th. That it be competent to the Sudder Dewannee Adaulut, to hear, try, and determine, any Arzee, petition, matter of complaint, or diſpute whatſoever, which ſhall be, for that purpoſe, tranſmitted to the ſaid court, by the Governor General and Council.

12th. That it be competent to the Sudder Dewannee Adaulut, in caſe of any appeal, where the original cauſe has not been ſufficiently inveſtigated in the inferior court, or for other cauſe, which may be deemed reaſonable by the Sudder Dewannee Adaulut, either to receive ſuch further evidence, as may be proper for the juſt determination of the cauſe; or to ſend the cauſe back, to the inferior court, where it originated, with ſpecial directions to the judge thereof, with regard to the new evidence he ſhall receive thereon, as ſhall be deemed by the ſaid court moſt conducive to juſtice, and the convenience of the parties and witneſſes.

13th. That the Sudder Dewannee Adaulut may, as it may deem conducive to juſtice, reſpect being had to the nature of the cauſe and the evidence, either examine the witneſſes to be produced in court, *vivâ voce*, in open court, cauſing the witneſſes to be firſt ſworn, their depoſitions reduced into writing, and ſigned by the witneſſes reſpectively; or authorize the Regiſter of the court, to ſwear and examine ſuch witneſſes, take their depoſitions in writing, and procure the ſame to be ſigned, by the reſpective witneſſes, and authenticate the ſame by his ſignature, ſo that ſuch examination be in the preſence of both parties, or their vackeels, who ſhall be at liberty to put ſuch queſtions to the witneſſes, as they ſhall think proper; which queſtions, and the anſwers thereto, ſhall be, in like manner, reduced into writing, ſigned, and authenticated.

Provided, nevertheleſs, if due notice be given to the parties, or their vackeels, of the examination of any witneſs or witneſſes, before ſuch Regiſter, and he or they ſhall not attend, at the time of ſuch examination, the Regiſter ſhall, and is hereby authorized, to proceed to the examination, as before directed; and ſuch depoſitions ſhall be received, as good and authentic evidence. Provided, that where any witneſs or witneſſes may be of ſuch rank, caſt and quality, that it may be, from the prejudice of the country, improper to adminiſter an oath to them, the Judge of the Court may diſpenſe with their being ſworn, on their ſubſcribing a declaration to the following effect, viz. If the witneſs be a Hindoo, "I will faithfully anſwer ſuch queſtions as ſhall be put to me by the court (or the Regiſter thereof) in the caſe now before the court, according to the truth; I will declare nothing not warranted by the truth; if I declare any thing not warranted by the truth, I ſhall be deſerving of puniſhment from Iſhar." And, in caſe ſuch a witneſs be a Muſſulman, "I do ſincerely promiſe and ſwear, in the preſence of Almighty God, that I will faithfully, and without partiality, anſwer any queſtion put to me by the court, (or the Regiſter thereof,) reſpecting the cauſe now before the court, according to truth." And the teſtimony and depoſition of ſuch witneſs or witneſſes, ſo ſubſcribing, ſhall be as valid, as if the witneſſes had been ſworn.

14th. That it be competent to the Sudder Dewannee Adaulut, to receive any original complaint whatever, and refer the ſame to the Provincial Dewannee Adaulut, to whoſe juriſdiction, the matter of complaint ſhall, of right, belong; and to order and command the Judge of the court to hear, try, and determine the ſame.

15th. That no Judge, of any Provincial Dewannee Adaulut, ſhall, upon any pretence whatſoever, cauſe to be made any report, of any matter of fact, relating to any cauſe, depending before them, by any officer, or officers whatſoever; and that no depoſitions or depoſition of witneſs or witneſſes, be read in any cauſe, unleſs the ſame ſhall have been made publicly, in open court, by ſuch witneſs or witneſſes, him or themſelves, after having been duly ſworn, in that form, or manner, which ſhall be deemed moſt binding, on his or their conſcience, "To ſpeak the truth, the whole truth, and nothing but the truth," and before ſuch witneſs, or witneſſes, ſhall have ſigned or atteſted the ſame: and that every exhibit, or written evidence whatſoever, be produced in open court, at the trial, and duly proved, by examination of witneſſes, ſworn as aforeſaid, whoſe depoſitions ſhall be reduced into writing, and atteſted as aforeſaid: and that every exhibit or exhibits, with proper marks, deſcribing the ſame, and referred to in the depoſition or depoſitions, proving the ſame, be annexed to ſuch depoſition or depoſitions. Nevertheleſs, that it be competent to ſuch Judge, to refer any queſtion, ariſing on the Muſſulman or Hindoo Law, to any Moulavy or Moulavies, Pundit or Pundits; reſpect being had, to the law, in which each is converſant; ſo that ſuch Moulavy or Moulavies, Pundit or Pundits, be duly ſworn, to anſwer to the beſt of his or their judgment or judgments: and that a ſtatement of facts, on which the queſtion ſhall ariſe, be made out in writing, ſigned by the Judge of the Court,

and be delivered to ſuch Moulavy or Moulavies, Pundit or Pundits, for his or their opinion thereon; and a blank leaf, for the anſwer or anſwers, of ſuch Moulavy or Moulavies, Pundit or Pundits, to be written on the ſame paper, on which the queſtion is ſtated, immediately under and following the ſame; and to be ſigned by, and with, the name or names of ſuch Moulavy or Moulavies, Pundit or Pundits, together with the date, of the time, when ſuch queſtion, or queſtions, was, or were, ſubmitted to him or them, and when ſuch anſwer, or anſwers, ſhall be given.

16th. That, if any written evidence be offered, to any Provincial Dewannee Adaulut, in any cauſe, depending therein, if the court ſhall, in their judgment, think fit to reject the ſame, the judge, ſo rejecting ſuch evidence, ſhall endorſe, on the back thereof, the word, "Rejected," together with the name of the cauſe, and the date of the time, when the ſame ſhall be rejected; and ſhall enter a memorandum, on the ſame, or on a paper thereto to be annexed, of his reaſon, for not admitting the ſame, in evidence, with his name ſubſcribed thereto; and ſhall return the ſame, ſo endorſed, and with ſuch memorandum, to the perſon attempting to produce the ſame in evidence.

17th. That all rules, orders, regulations and reſolutions, heretofore made, by the late Preſident and Council, Governor General and Council, and Court of Sudder Dewannee Adaulut, with regard to the adminiſtration of juſtice, in the ſaid Court of Sudder Dewannee Adaulut, and Provincial Dewannee Adauluts, together with the rules, orders, regulations and reſolutions thereby made and ordained, be forthwith publiſhed, by advertiſement, at the Preſidency; and copies thereof be tranſmitted, to the judges of the Provincial Dewannee Adauluts, with orders to carry them into execution; and to publiſh them, by advertiſement, affixed in the Cutcherries, where ſuch courts ſhall be held, or ſit.

GENERAL REGULATIONS,

FOR THE

ADMINISTRATION OF JUSTICE,

IN THE CIVIL COURTS OF

ADAULUT THROUGHOUT THE PROVINCES:

PASSED BY THE GOVERNOR GENERAL AND COUNCIL,

on the 6th April 1781.

The Board, taking into conſideration the preſent ſtate of the adminiſtration of civil and criminal juſtice throughout the Provinces, paſs the following Reſolutions concerning it.

I. That to remedy the inconveniencies occaſioned by the too extenſive juriſdiction of the Muſuſſil Dewannee Adauluts eſtabliſhed by the Regulations of the

28th of March 1780, and thereby to promote the more ſpeedy and effectual adminiſtration of juſtice, the following courts of civil judicature (including thoſe now exiſting) be eſtabliſhed throughout the Provinces; the ſeats of which to be fixed in the moſt populous and central towns within their reſpective jurisdictions

1ſt Mofuſſil Dewannee Adaulût of Midnapoor; 2d. Rogonautpore; 3d Chettrah; 4th Patna; 5th Lowya; 6th Derbanga; 7th Tauzepore; 8th. Boglepore; 9th Rungpore; 10th. Nattore; 11th Auzmerygunge; 12th Dacca; 13th Backergunge; 14th. Iſlamabad; 15th. Moorly; 16th Calcutta; 17th Burdwan; 18th Moorſhedabad.

II. That the local extent of the Juriſdiction of theſe courts, be reſpectively as follows:

Juriſdiction of the Dewannee Adauluts.

1ſt The Juriſdiction of the Adaulut of Midnapore, conſiſting of: 1ſt. The diſtrict of Midnapore; 2d Jellaſore.

2d The Juriſdiction of the Adaulut of Rogonautpore, conſiſting of: 1ſt. The diſtrict of Pachete including the Petty Mehals; 2d. The diſtrict of Biſhenpore.

3d. The Juriſdiction of the Adaulut of Chettrah, conſiſting of: 1ſt. The diſtrict of Ramgur; 2d. Of Palamow; 3d Naugpore; 4th Kondj; 5th. Curreekdea, 6 h. Chackya.

4th. The Juriſdiction of the Adaulut of Patna, conſiſting of: 1ſt The Sircar of Shahabad; 2d. Behar; 3d. Rotas.

5th. The Juriſdiction of the Adaulut of Lowya, conſiſting of: 1ſt. The Sircar of Sarun, including Huſſipore; 2d Ditto of Champarun, including Betteah.

6th. The Juriſdiction of the Adaulut of Durbungah, conſiſting of: 1ſt The Sircar of Tirhoot; 2d Hajepore; 3d That part of Purnea lying to the weſtward of the Cooſah-river; 4th. That part of the Boglepore diſtrict, ſituated to the Northward of the Ganges.

7th. The Juriſdiction of the Adaulut of Tauzepore, conſiſting of: 1ſt The diſtrict of Havely Penjerah, or Dinagepore; 2d. The diſtrict of Purnea, excepting that part of it to the weſtward of the Cooſah; 3d The diſtrict of Mulduar, and all that part of Rajemahal diſtrict, ſituated to the eaſtward of the Ganges

8th. The Juriſdiction of the Adaulut of Boglepore, conſiſting of: 1ſt That part of the diſtrict of Rauzemaul, to the weſtward of the Ganges; 2d. That part of the Boglepore diſtrict, to the ſouthward of the Ganges; 3d. The diſtrict of Mongheer, lying all to the ſouthward of the Ganges; 4th Purgunnahs of Saltamabad and Amaar.

9th The Juriſdiction of the Adaulut of Rungpore, conſiſting of: 1ſt. The diſtrict of Rungpore, including Beharbund; 2d Cooch Behar; 3d Ringamatty; 4th Goraggaut and Bajoohow or Bazuha; 5th. Seroopoor, and Pattladan, and Beetarbund.

10th. The Juriſdiction of the Adaulut of Natore, conſiſting of, Firſt the diviſion of Silberries viz: 1ſt. The Purgunnah of Silberries proper; 2d. Barbuckpore; 3d. Chowgong; 4th. Chowra; 5th. Behar, &c. 6th Deyreah, &c. 7th. Atteah; 8th. Burbazoo; 9th. Cogmary; 10th. The Purgunnah of Saukny. Secondly of all thoſe parts of the zillah or diviſion of Moorſhedabad, that are ſituated to the northward of the Puddah, or eaſtern branch of the Ganges, the principal of which are; 11th. The diſtrict of Bettoreah, including alſo that ſmall portion of it which is ſituated to the ſouthward of the Puddah; 12th. The Purgunnah of Pookareah; 13th. Rokunpore; 14th. Luſkerpore; 15th. Chundly; 16th. Jahangeerpore; 17th. Colligong; 18th. Tahirpore; 19th. Meſſideh; 20th. Hattindah; 21ſt. Feettajungpore; 22d. Maukowur; 23d. Coſſimpore; 24th. Khirbah, together with ſuch other unſpecified parts of this diviſion, as lie to the ſouthward of the River, except the annexations made to the Juriſdiction of Rungpore, for which vide that article.

11th. The Juriſdiction of the Adaulut of Azmeery-Gunge, to include all Sylhet, and that portion of the Dacca Province ſituated to the northward of the Burrampooter and the Teetaſs.

12th. The Juriſdiction of the Adaulut of the town of Dacca, conſiſting of that portion of the Dacca Province bounded on the north by the river Teetaſs, and the Burrampooter; to the eaſt by Tepperah, and Chittagong; to the weſt by the river Megna, as far as Chundpore; and thence to the northweſt by the Colly-Gongah, and the Ganges or Puddah, to Booſna, on the weſt, and the diſtricts that form the eaſtern boundary of the Juriſdiction of the Adaulut of Nattore.

13th. The Juriſdiction of Backergunge, conſiſting of that portion of the Dacca Province, lying to the ſouthweſt of the Ganges or Puddah and the Colly-Gungah, and to the weſt of the Megna, from Chundpore to the Sea, having as its weſtern limits, the eaſtern frontier of the diſtricts of Booſna and Jeſſore, down to the mouth of the river of Roymungul, including alſo all the iſlands belonging to and ſituated on the coaſt of the Dacca Province, except the Purgunnah of Sundeep and its dependencies.

14th The Juriſdiction of the Adaulut of Iſlamabad, conſiſting of, 1ſt. The diſtrict of Chittagong; 2d. Of Tipperah; 3d The Purgunnah of Sundeep and its dependencies.

15th. The Juriſdiction of the Adaulut of Moorly, conſiſting of, 1ſt. The diſtrict of Booſnah; 2d. Shahwejeal; 3d. Jeſſore; 4th. Purgunnah of Mahomud-Shahy; 5th. Sydpore.

16th. The Juriſdiction of the Adaulut of Calcutta, conſiſting of, 1ſt. The Purgunnah of Kiſnagore; 2d. The Cauckia of Hoogly, including that of Hidgelee and the diſtricts of the 24 Purgunnahs, and Mahomud Aumeeppore.

17th. The Juriſdiction of the Adaulut of Burdwan, conſiſting of that Chucklah or Purgunnah, including the diſtrict of Sautlyka and Tannah of Cutwah.

18th. The Juriſdiction of the Adaulut of Moorſhedabad, conſiſting of, 1ſt The Purgunnah of Beerbhoom; 2d. The Purgunnah of Rajeſhay, excluſive of Ammar and Sultanabad, annexed to Boglepore, and Surrupoor and Patiladah and Beeterbund, annexed to the Juriſdiction of Rungpore. 3d. The Purgunnah of Futteh ſing; 4th. Such remaining portion of the diviſion or Zillah of Moorſhedabad (excepting Boglna, the Tannah of Cutwah, and Shewejeal) as is ſituated to the ſouthward of the Puddah or Ganges.

III. That ſuch of the above courts, as are ſituated in large towns, in populous and opulent countries, and in the interiour parts of the Provinces, be continued, on the preſent footing, under the charge of covenanted ſervants of the Company (who are hereafter to be ſtiled Judges inſtead of Superintendants), with a juriſdiction diſtinct from that of the perſons who remain in temporary charge of the collections. Under this deſcription are included, the courts of Midnapore, Rogonautpore, Patna, Bowya, Durbungah, Tawjepore, Nattore, Dacca, Azmeery-Gunge, Backergunge, Moorly, Calcutta, Burdwan, and Moorſhedabad.

IV. That the countries, over which it is propoſed to extend the juriſdiction of the remaining courts of Chettia, Boglepore, Iſlamabad and Rungpore, being in general ſituated on the frontiers of the Provinces, and ſo poor and thinly peopled, that any additional courts or juriſdiction, inſtead of affording relief, might be productive of vexation to the inhabitants, the Dewannee courts in each of theſe diſtricts be therefore held by the ſame gentlemen, who have the temporary charge of the revenue, until a more complete juriſdiction can be eſtabliſhed; but that they ſhall conſider the duty of their courts as entirely diſtinct from that of their collectorſhips; as in theſe, they ſhall be ſubject to the orders and the control of the Committee of Revenue; whilſt, in reſpect to the former, they ſhall be wholly independant of the Board, and ſubject only to the orders of the Judge of the Sudder Dewannee Adaulut and of the Governor General and Council: that they ſhall tranſmit copies of all their judicial proceedings, as Judges, to the court of Sudder Dewannee Adaulut, to which an appeal ſhall, in like manner with the other Muſuſſil Adauluts, lie from their deciſions: and that they ſhall take the oath, which has been preſcribed by the laſt article of the regulations of the 28th of March 1780; and act, in every reſpect, in conformity to the rules laid down for the other Judges, between whoſe judicial ſituation and their no other difference is intended to exiſt, except that their courts will not require an eſtabliſhment equal to thoſe that are ſeparate from the collections.

V. That the ſeat of the Adaulut, which has juriſdiction over the diſtricts of Purnea, Dinagepore &c. be removed from the former of theſe places to Tawjepore, as a more central ſituation within it's general juriſdiction, and therefore more convenient for thoſe who are rendered ſubject to it; a conſideration, which has further been a chief inducement to the Board to eſtabliſh the ſeveral new courts of Nattore, Derbunga and others, to complete the plan; ſo as that there may remain no place at ſo great a diſtance from a

court of judicature, as to preclude its inhabitants from an eaſy acceſs to juſtice: but the Court at Patna is to remain, until it ſhall be found, on future experience, more expedient to transfer the ſeat of it's juriſdiction to ſome more central ſituation.

Subſidiary Regulations for the adminiſtration of Juſtice in the Civil Courts of Adaulut throughout the Provinces: paſſed on the ſame date.

1ſt. That the rules, orders and regulations before eſtabliſhed, ſo far as they are not altered, or abrogated by the following rules, orders and regulations, be ſtanding rules, orders and regulations, as well for the Adauluts heretofore eſtabliſhed, as for the new Adauluts.

2d. That within one month after the receipt of theſe orders in the Sudder Dewannee Adaulut, and in the ſeveral Dewannee Adauluts, a table of fees, to be allowed to the officers and clerks of ſuch courts, be framed and made by the Judge of the Sudder Dewannee Adaulut, and of ſuch Dewannee Adauluts, where no table of fees has been yet eſtabliſhed; and that, within the ſame time, as well the new created Adauluts, as the Adauluts formerly eſtabliſhed, and the Sudder Dewannee Adaulut, do tranſmit to the Governor General and Council the table of fees reſpectively eſtabliſhed in ſuch courts, that the Governor General and Council may controul, alter, or approve the ſame; and that, after ſuch table ſhall be ſo altered or approved, the ſeveral clerks and officers may demand and receive ſuch fees reſpectively, as ſhall be allowed thereby.

3d. That a copy of the allowed table of fees, within one week after the ſame ſhall be received by the ſeveral courts, be affixed in ſome conſpicuous place in the rooms where the reſpective courts are held; and that ſuch copy be written in a legible hand, in the Engliſh, Perſian and Bengal languages. That no clerk or officer, or any perſon concerned in the adminiſtration of juſtice in the Sudder Dewannee Adaulut, or in any Dewannee Adaulut, do demand or accept any fee or fees, other than the fee or fees authorized by ſuch table, or any other ſum or ſums of money, reward or gratuity, on any pretence whatſoever, on pain of diſmiſſion from his office, and the forfeiture of treble the ſum of the value of any reward or gratuity accepted or received; the ſame being duly proved in a ſuit inſtituted for that purpoſe in the court of Sudder Dewannee Adaulut; which ſuit the ſaid court of Sudder Dewannee Adaulut is hereby authorized to receive, hear and determine.

4th. That the Judge of every court of Dewannee Adaulut do keep a faithful account of the fees paid in depoſit at the commencement of each cauſe, and likewiſe of all fees received by the reſpective officers of each court; and do tranſmit to the Judge of the Sudder Dewannee Adaulut, at the expiration of every three months (the firſt three months to be calculated from the date of this order), a true and authentic copy of ſuch account, together with the monies ariſing from the fees received as aforeſaid in depoſit.

5th. That the reſpective Judges of the Dewannee Adauluts heretofore eſtabliſhed do, within one month after the receipt of theſe orders, tranſmit to the Judge of the Sudder Dewannee Adaulut a true account of the fees received in depoſit, in their reſpective courts, by themſelves or their predeceſſors, from the firſt inſtitution of ſuch courts, whether ſuch fees in depoſit were paid at the commencement of cauſes, or in conſequence of appeals; together with the money ariſing from ſuch fees.

6th. That henceforward no court of Dewannee Adaulut ſhall exact or receive any fee in depoſit in conſequence of any appeal; but ſhall receive every appeal without ſuch fee, and tranſmit the ſame to the Sudder Dewannee Adaulut, in purſuance of the rules of the court, in like manner as if ſuch fee had been paid.

7th. That at the commencement of any ſuit in the Sudder Dewannee Adaulut, or in any Dewannee Adaulut, if it ſhall be proved to the ſatisfaction of the Judge of the court in which the ſuit ſhall be commenced, by the oath of the plaintiff and of two credible witneſſes, that they believe ſuch oath to be true, that the appellant, or plaintiff, is, after all his juſt debts paid, not worth more than the ſum of one hundred Sicca Rupees, excluſive of the value of the depoſit, by the former rules, orders and regulations, required to be made, it ſhall be competent for the Judge of the court in which the ſuit ſhall be inſtituted, in lieu thereof, to accept either a Malzamminny, to the amount of ſuch depoſits, or an Hazirzamminny to be reſpectively entered into by the appellant or plaintiff, and two good and ſufficient ſecurities, according to the diſcretion of ſuch Judge.

8th. That where a Malzamminny ſhall have been given, the Judge ſhall, if the ſuit be determined againſt the appellant or plaintiff, cauſe the ſame to be ſued and the fee recovered; and where a Hazirzamminny ſhall have been given, and the plaintiff, or appellant, ſhall have failed in his ſuit, the Judge, if he ſhall deem the ſuit frivolous or vexatious, and the plaintiff or appellant ſhall not pay the depoſit fee, ſhall, and is hereby authorized to, commit ſuch appellant or plaintiff to the common jail for any ſpace of time not exceeding three months; and, if the ſaid two ſecurities ſhall not produce ſuch plaintiff or appellant, ſo that he may be proceeded againſt as afore ſaid, if ſuch ſecurities ſhall not cauſe ſuch depoſit fee to be paid, the court ſhall, and is hereby authorized to, commit ſuch ſecurities to the common jail, for any ſpace of time not exceeding three months.

9th. That in all caſes, where the Sudder Dewannee Adaulut ſhall tranſmit any order or proceſs to be ſerved or executed by the Judge of any Dewannee Adaulut, if the party, on whom the ſame is to be executed or ſerved, ſhall have abſconded, or is not after diligent ſearch to be found, the Judge, to whom the ſame is directed, ſhall cauſe a writing in the Perſian and Bengal languages, to be ſtuck up in ſome conſpicuous part of the room in which the Adaulut ſhall be held; which writing ſhall contain copy of the order or proceſs, and a notice, that, if the party ſhall not obey the exi-

gence thereof within the time limited thereby, the court of Sudder Dewannee Adaulut will, without further notice, proceſs, or order, proceed exparte to hear, try and determine the cauſe, in which ſuch proceſs or order had iſſued.

10th. That every proceſs, rule, order, or decree ſhall be immediately ſerved or executed without application to, or the interference of, any perſon whatſoever, according to the requiſition thereof: provided that in every caſe, where any Zemindar, Talookdar, or Chowdree ſhall be defendant, it ſhall not be competent to the Judge of the Dewannee Adaulut to iſſue any compulſatory proceſs againſt him to compel him to appear or anſwer, until a ſummons ſhall have been firſt iſſued requiring him to appear and anſwer either in perſon or by his Vakeel; and, if ſuch ſummons ſhall have been iſſued and duly ſerved, and ſuch Zemindar, Talookdar, or Chowdree ſhall not obey the ſame, or if ſuch ſummons ſhall have iſſued, and ſuch Zemindar, Talookdar, or Chowdree ſhall abſcond to avoid the ſervice thereof, or ſhall not after diligent enquiry be found, it ſhall be competent to the Judge of the Dewannee Adaulut, on the return of ſuch ſummons and proof of ſuch facts by oath made before him, to iſſue againſt ſuch Zemindar, Talookdar, or Chowdree the like order or compulſatory proceſs, as may, and is uſed to, iſſue againſt a defendant, not being a Zemindar, Talookdar, or Chowdree.

11th. That if any Zemindar, Talookdar, or Chowdree ſhall reſiſt, or cauſe to be reſiſted, any proceſs, order, rule, or decree, which ſhall at any time iſſue from the court of Sudder Dewannee Adaulut, or any court of Dewannee Adaulut, on proof thereof being made by oath to the ſatisfaction of the Judge of that court from which ſuch proceſs, order, rule, or decree ſhall have iſſued, ſuch court may and ſhall call on ſuch Zemindar to anſwer to ſuch charge; and, if ſuch Zemindar, Talookdar, or Chowdree ſhall refuſe or neglect to make anſwer to the ſame, or if after anſwer given, and the hearing of ſuch evidences as he may produce, it ſhall be proved to the ſatisfaction of the Court, that he is guilty of ſuch charge, the court ſhall award and decree that ſuch Zemindar, Talookdar, or Chowdree do, from the time of the decree then made, forfeit his Zemindarry, Talookdarry, or other lands reſpectively, and every right and title which he or his heirs may have in or to the ſame: and if any ſuch decree be made in any court of Dewannee Adaulut, it ſhall be lawful for ſuch Zemindar, Talookdar, or Chowdree to appeal to the Sudder Dewannee Adaulut; and if the Sudder Dewannee Adaulut ſhall not confirm ſuch decree, or ſhall make any original decree againſt any Zemindar, Talookdar, or Chowdree on account of any reſiſtance made, or cauſed to be made, to any proceſs, rule, order, or decree of the Sudder Dewannee Adaulut, the Judge of the Sudder Dewannee Adaulut ſhall within one month tranſmit to the Governor General and Council ſuch decree with all the proceedings relative thereto; and in caſe any Zemindar, Talookdar, or Chowdree, againſt whom ſuch decree ſhall be made, in any Court of Dewannee Adaulut, ſhall not appeal againſt the ſame within the time limited for appeals, then the Court, which ſhall have made ſuch decree, ſhall within one month after the ex-

piration of ſuch limited time tranſmit to the Governor General and Council the ſaid decree with all the proceedings belonging thereto: provided always that ſuch Zemindar, Talookdar, or Chowdree, ſhall not be ouſted or expelled from the poſſeſſion of ſuch Zemindarry, Talookdarry, or other land, except by or in virtue of an order from the Governor General and Council confirming ſuch decree, and ordering and directing the manner in which the ſame ſhall be carried into execution, and to whom the poſſeſſion of ſuch Zemindarry, Talookdarry, or other land, ſhall be delivered; and that it be competent to the Governor General and Council either to order ſuch decree to be executed, or to change or commute ſuch forfeiture for any ſum of money which the Governor General and Council ſhall deem adequate to the offence for which decree had been given.

12th. That in caſe of any proceſs, rule, order, or decree being tranſmitted to any Judge of any Dewannee Adaulut from the Sudder Dewannee Adaulut to be ſerved or executed, the return to the ſame be made either by an indorſement on ſuch proceſs, rule, order, or decree, or be written on a paper or papers firmly annexed to the ſame; and that, in ſuch caſe, there be an indorſement on ſuch proceſs, rule, order, or decree, referring the Judge of the Sudder Dewannee Adaulut to the return contained in ſuch annexed paper or papers; and that the Judge of the Dewannee Adaulut do cauſe a copy of ſuch proceſs, rule, order, or decree, together with the return made thereto, to be made out and depoſited among the records of the Dewannee Adauluts.

13th. That if any cauſe of action ſhall have ariſen or ſhall ariſe, or any defendant, againſt whom any ſuit ſhall be commenced in any Dewannee Adaulut, ſhall reſide, in or near the confines of the local juriſdiction of any court of Dewannee Adaulut, and the ſuit ſhall be commenced in any court of Dewannee Adaulut whoſe confines are contiguous to the confines of the court to which ſuch ſuit might more properly belong, the court in which the ſuit ſhall be firſt commenced ſhall proceed in the ſame, and hear, try, and determine, paſs judgment, and execute ſuch judgment, in the ſame manner as if the cauſe of action of ſuch ſuit, or the defendant in ſuch ſuit, had reſided in the undiſputed local juriſdiction of ſuch court; and the officers of ſuch court ſhall execute every rule, proceſs, or decree concerning ſuch ſuit, without any let or hindrance from any other court of Dewannee Adaulut claiming to hold juriſdiction in the place where ſuch cauſe of action hath ariſen or ſhall ariſe, or in which ſuch defendant ſhall reſide; and it ſhall not be competent to any other court of Dewannee Adaulut, to entertain any ſuit for the ſame cauſe of action; and on proof being made in any court of Dewannee Adaulut, in which a ſecond ſuit ſhall be commenced on ſuch action, that a prior ſuit hath been inſtituted in ſuch other court of Dewannee Adaulut, the court in which the ſecond ſuit ſhall have been brought, ſhall diſmiſs the ſame with coſts to be paid by the parties there ſuing.

14th. That the court of Dewannee Adaulut of Calcutta do not, on any pretence whatſoever, receive or entertain any ſuit whatſoever brought on account of, relating to, or

in any way concerning, any land, houſes, tenements, or hereditaments, or of any diſputes of boundaries of lands, tenements, or hereditaments, ſituate, lying and being, within the town of Calcutta, as deſcribed by a late Rule, Ordinance and Regulation made by the Governor General and Council, and approved and conſented to by the Supreme Court of Judicature at Fort William in Bengal on or about the firſt day of February, 1781, under the authority of a certain act of Parliament paſſed in the thirteenth year of his preſent Majeſty, entitled "an act for eſtabliſhing certain regulations for the better management of the affairs of the Eaſt India Company, as well in India as in Europe;" nor any ſuit whatſoever where the defendant of ſuch ſuit ſhall be an inhabitant of ſuch Town ſo deſcribed, at the time when ſuch ſuit ſhall be commenced.

15th. That the whole charge and expence of the Dewannee Adauluts be defrayed through the Sudder Dewannee Adaulut, under the ſanction and authority of the Judge of that Court, who is hereby authorized monthly to draw for and receive from the Khalſa Treaſury the amount to be diſburſed on this account. That to aſſiſt the Judge of the Sudder Dewannee Adaulut in the additional trouble which will devolve upon him, as well in receiving as in accounting for the ſeveral depoſit fees beforementioned, as the receipts and diſburſements of the charges and expences of the eſtabliſhment of the Dewannee Adauluts, he be authorized to appoint a perſon to act under his direction as Accountant and Treaſurer to the Sudder Dewannee Adaulut and the ſeveral courts of Dewannee Adaulat with a ſalary of one thouſand Rupees per month, to be aſſiſted with one writer, with a ſalary of one hundred Rupees per month, and one Sircar with a ſalary of thirty Rupees per month.

16th. That the accounts of the receipts and diſburſements of the Sudder Dewannee Adaulut and of the Dewannee Adauluts be every month tranſmitted, ſigned by ſuch Treaſurer and Accountant, and counterſigned by the Judge of the Sudder Dewannee Adaulut, to the Governor General and Council in their Revenue Department, to be from thence forwarded by them to the proper officers. That the Accountant and Treaſurer do cauſe accurate accounts to be made of all ſums of money, as well received from the Moſuſſil Dewannee Adauluts, as in the Sudder Dewannee Adaulut, on account of depoſit fees; and do, after the expiration of every ſix months (the firſt ſix months to be calculated from the date of theſe orders), tranſmit a true copy of the ſame, ſigned by the Judge, to the Governor General and Council; and that he cauſe the ſaid ſums to be kept in cheſts provided for that purpoſe with two locks, one key of which ſhall be kept by ſuch Judge, and the other key by the Treaſurer and Accountant; and that all ſuch monies ſhall be and remain at the diſpoſal of the Governor General and Council, and that the Judge of the Sudder Dewannee Adaulut, and the Treaſurer and Accountant, ſhall obey all ſuch orders reſpecting the payment and diſpoſal of ſuch monies, as they ſhall from time to time receive, ſignified to them under the hands of the Governor General and

Council; and ſuch orders of the Governor General and Council ſhall be a ſufficient acquittal and diſcharge to ſuch Judge, and Treaſurer and Accountant for all ſums paid by virtue of ſuch order.

17th. That the Judge of the Sudder Dewannee Adaulut do punctually report, at the expiration of every ſix months (the firſt ſix months to be calculated from the date of theſe orders), to the Governor General and Council, from what Judges of Dewannee Adauluts he ſhall have received as well the accounts of the ſums of money required to be tranſmitted from them to the Sudder Dewannee Adaulut, as the ſeveral accounts or records, proceedings and papers, which have heretofore been required to be tranſmitted by any former order, or orders; and, if he ſhall not receive the ſame, then he ſhall report from whom he hath not received the ſame; and, if he ſhall receive only part of the ſame, then he ſhall report what part he hath received, and what part he hath not received, together with the names of the defaulters in ſuch behalf.

18th. That to enable the Judge of the Sudder Dewannee Adaulut to draw on the Khalſa Treaſury for the charge and expence of the ſeveral Dewannee Adauluts, the Secretary of the Revenue Department do immediately make out and tranſmit to the Judge of the Sudder Dewannee Adaulut, an accurate account of the eſtabliſhment of the Sudder Dewannee Adaulut and of the ſeveral Dewannee Adauluts.

19th. That a true and faithful copy of theſe orders be tranſmitted to the Judge of the Sudder Dewannee Adaulut, and to the Judges of the ſeveral Dewannee Adauluts reſpectively; and that the ſame be openly publiſhed in ſuch Courts; and that the 1ſt. 2d. 3d. 6th. 7th. 8th. 9th. 10th. 11th. 13th. 14th. and 19th. of theſe orders be tranſlated by the Tranſlators of the ſeveral Courts reſpectively into the Bengal and Perſian languages, and be affixed, for the ſpace of one month at leaſt, in ſome conſpicuous part of the room in which ſuch Courts ſhall be reſpectively held.

20th. That the Judge of the Sudder Dewannee Adaulut be requeſted to reviſe the rules, orders, and regulations of the Sudder Dewannee Adaulut and of the ſeveral Dewannee Adauluts, from their firſt inſtitution; to ſtrike out ſuch rules, orders, and regulations, as are repugnant to, or abrogated by, ſubſequent rules, orders, and regulations; and to compile therefrom a uniform ſyſtem of rules, orders, and regulations; and to add ſuch new rules, orders and regulations, as to him ſhall ſeem conducive to the due adminiſtration of juſtice: and that he do report the ſame to the Governor General and Council, when the ſame ſhall be completed, for their control, alteration, or approbation.

Rules approved by the Governor General and Council,

On 25th. May 1781.

1ſt. It is ordered, that the Judge of every Dewannee Adaulut ſhall in future cauſe to be entered every original depoſition, taken in one and the ſame cauſe, and every

rule, order, decree, proceeding, judgment or other proceeding whatſoever of the Court, in the ſame cauſe, unconnected with any other cauſe or matter whatſoever, on a ſeparate roll, or on ſheets of paper firmly annexed to each other, ſo that the originals thereof, in one and the ſame cauſe, may be tranſmitted to the Sudder Dewannee Adaulut, purſuant to the rule lately made for that purpoſe, ſeparate from, and unconnected with, any other cauſe or matter whatſoever: but that the copies thereof, required by the ſame rule to be made, and authenticated by the Regiſter or Clerk of the Dewannee Adaulut, and which are to remain on record in ſuch court, be tranſcribed fairly into a book or books kept by the Regiſter or Clerk of ſuch court.

2d. That in all caſes, where the original depoſitions and the rules, orders, decrees or judgments, or other proceedings have heretofore in any Dewannee Adaulut been entered in any book or books, which do likewiſe contain the original proceedings in divers and diſtinct cauſes, ſo that the originals in any cauſe, which has been or ſhall hereafter be appealed, cannot be tranſmitted to the Sudder Dewannee Adaulut, without at the ſame time tranſmitting the originals in ſome other cauſes, which have not been appealed, the Judge of the Dewannee Adaulut ſhall, on appeal in any ſuch cauſe, in lieu of ſuch originals, tranſmit to the Sudder Dewannee Adaulut, within the time, and in like manner certify, as is heretofore required for the tranſmiſſion of originals, a true and authentic copy of ſuch originals ſo entered in ſuch book or books, with an additional certificate, that the originals of the copy, ſo tranſmitted, are ſo entered in ſuch book or books as aforeſaid; ſo that he do nevertheleſs tranſmit the original Arzee or petition, the original anſwers or other ſeparate pleadings of the parties, and the original exhibits, which ſhall have ſeverally been delivered in or produced by the parties, and read in the courſe of the cauſe before the Dewannee Adaulut, in like manner as is before required by the former rule lately made for that purpoſe.

3d. That the Judge in every Dewannee Adaulut do in every decree recite the names of the witneſſes who have depoſed, and the head or title of every exhibit read in ſuch cauſe, reſpectively, on which the decree of the court ſhall be founded.

REGULATIONS,

FOR THE

ADMINISTRATION OF JUSTICE,

IN THE COURTS OF MOFUSSIL DEWANNEE ADAULUT,

AND IN THE SUDDER DEWANNEE ADAULUT.

Paſſed in Council the 5th of July 1781.

Whereas in purſuance of the general Regulations for the adminiſtration of juſtice, made and ordained on the twenty firſt day of Auguſt, in the year of our Lord one thouſand ſeven hundred and ſeventy two, by the late Preſident and Council, Courts of Moſuſſil Dewannee Adaulut, or Provincial Courts of civil Juſtice, were erected and

eſtabliſhed in the grand diſtricts or diviſions of Patna, Dinagepore or Purnea, Moorſhedabad, Dacca, Burdwan and Calcutta; and a Court of Sudder Dewannee Adaulut, or Supreme Court of civil Juſtice, was eſtabliſhed in the town of Calcutta, which was afterwards, in the year one thouſand ſeven hundred and ſeventy-four, diſcontinued until the twentieth day of March, one thouſand ſeven hundred and eighty, when the Governor General and Council revived and recontinued the ſame; but, on account of the multiplicity of buſineſs of the Governor General and Council, no Court of Sudder Dewannee Adaulut was held before the Governor General and Council, or any Member thereof; wherefore it was, on the twenty-fourth day of October, one thouſand ſeven hundred and eighty, reſolved, that the ſaid Court ſhould be held before one Judge, who was nominated and appointed by the Governor General and Council.

And whereas great inconveniencies have ariſen from the local juriſdiction of the ſaid Courts of Moſuſſil Dewannee Adaulut being too extenſive, and therefore, for the more ſpeedy and effectual adminiſtration of juſtice, additional Courts of Moſuſſil Dewannee Adaulut were, on the ſixth of April, one thouſand ſeven hundred and eighty-one, eſtabliſhed throughout the Provinces, at Midnapore, Rogonautpore, Chettrah, Loyah, Der-Bungah, Boglepore, Rungpore, Nattore, Azmery Gunge, Backergunge, Iſlamabad, and Morely; and the ſeat of the Adaulut of Purnea or Dinagepore, for the convenience of the ſuitors, was removed to Taujepore, and a Court of Moſuſſil Dewannee Adaulut was there erected and eſtabliſhed, in lieu of the Moſuſſil Dewannee Adaulut at Dinagepore: And, as it will be a further convenience to the ſuitors, that a Court of Moſuſſil Dewannee Adaulut ſhould be held at Maſey inſtead of Loyah; and at Raugehaut in Biſſenpore, inſtead of Rogonautpore in the diſtrict of Pacheat; and at Sultanoee, inſtead of Azmery Gunge.

And whereas at different times, and under different circumſtances of the Courts of Moſuſſil Dewannee Adaulut, and of the Sudder Dewannee Adaulut, divers Rules, Ordinances and Regulations, as occaſion did require, were made and framed for the adminiſtration of juſtice, many of which are not adapted to the ſtate of the preſent Courts: for the better aſcertaining, as well the powers, authority and juriſdiction of the ſaid Courts as the countries, diſtricts and places over which the ſame do and ſhall extend; for, removing the Court of Loyah to Maſey, and of Rogonautpore to Raugehaut, and of Azmery Gunge to Sultanoee; and for the explaining ſuch rules, orders and regulations, as may be ambiguous; and revoking ſuch as may be repugnant or obſolete; and to the end, that one conſiſtent Code be framed therefrom, and one general table of fees, eſtabliſhed in and throughout the ſaid Courts of Moſuſſil Dewannee Adaulut, by which a general conformity may be maintained in the proceedings, practice and deciſions of the ſeveral Courts; and that the inhabitants of theſe countries may not only know to what Courts and on what occaſions they may apply for juſtice, but, ſeeing the rules, ordinances and regulations, to which the Judges are by oath bound invariably to adhere, they may have confidence in the ſaid Courts, and may be apprized on what

occaſions it may be adviſable to appeal from the Courts of Moſuſſil Dewannee Adaulut to the Court of Sudder Dewannee Adaulut; and, knowing the utmoſt of the coſts which may be incurred in their ſuits, may not, from any apprehenſion of being involved in exorbitant and unforeſeen expences, or of being ſubjected to the frauds of extortion of the Officers of the Court, be deterred from proſecuting their juſt claims.

BE IT RESOLVED.

I. That ſo much of the Reſolutions of the late Preſident and Council of the twenty firſt day of Auguſt, one thouſand ſeven hundred and ſeventy-two, or any other Reſolution of any Preſident and Council, or Governor General and Council, by which any power, authority and juriſdiction was given to the Courts of Patna, Dinagepore or Purnea, Moorſhedabad, Dacca, Burdwan and Calcutta, over any other countries, diſtricts or places, than the countries, diſtricts and places over which the Courts of Patna, Taujepore, Moorſhedabad, Dacca, Burdwan and Calcutta are hereby authorized to hold juriſdiction; and that ſo much of the Reſolution of the ſixth of April, one thouſand ſeven hundred and eighty one, or of any other Reſolution, which conſtituted Courts of Moſuſſil Dewannee Adaulut at Dinagepore or Purnea, Rogonautpoor, Loyah and Azmary Gunge, be annulled and revoked: And that there remain at Midnapore one Moſuſſil Dewannee Adaulut, to be called the Moſuſſil Dewannee Adaulut at Midnapore; one Moſuſſil Dewannee Adaulut at Chittrah, to be called the Moſuſſil Dewannee Adaulut at Chittrah; one Moſuſſil Dewannee Adaulut at Patna, to be called the Moſuſſil Dewannee Adaulut at Patna; one Moſuſſil Dewannee Adaulut at Derbungah, to be called the Moſuſſil Dewannee Adaulut at Durbungah; one Moſuſſil Dewannee Adaulut at Taujepore, to be called the Moſuſſil Dewannee Adaulut at Taujepore; one Moſuſſil Dewannee Adaulut at Boglepore, to be called the Moſuſſil Dewannee Adaulut at Boglepore; one Moſuſſil Dewannee Adaulut at Rungpore, to be called the Moſuſſil Dewannee Adaulut at Rungpore; one Moſuſſil Dewannee Adaulut at Nattore, to be called the Moſuſſil Dewannee Adaulut at Nattore; one Moſuſſil Dewannee Adaulut at Dacca, to be called the Moſuſſil Dewannee Adaulut at Dacca; one Moſuſſil Dewannee Adaulut at Backergunge, to be called the Moſuſſil Dewannee Adaulut at Backergunge; one Moſuſſil Dewannee Adaulut at Iſlamabad, to be called the Moſuſſil Dewannee Adaulut at Iſlamabad; one Moſuſſil Dewannee Adaulut at Morely, to be called the Moſuſſil Dewannee Adaulut at Morely; one Moſuſſil Dewannee Adaulut at Burdwan, to be called the Moſuſſil Dewannee Adaulut at Burdwan; one Moſuſſil Dewannee Adaulut at Calcutta, to be called the Moſuſſil Dewannee Adaulut at Calcutta; and one Moſuſſil Dewannee Adaulut at Moorſhedabad, to be called the Moſuſſil Dewannee Adaulut at Moorſhedabad: And that in lieu of the Moſuſſil Dewannee Adaulut at Loyah, there be eſtabliſhed one Moſuſſil Dewannee Adaulut at Maſey, to be called the Moſuſſil Dewannee Adaulut at Maſey; and in lieu of the Moſuſſil Dewannee Adaulut at Rogonautpore in the diſtrict of Pachete, one Moſuſſil Dewannee Adaulut at Raujehaut in Biſſen-

pore, to be called the Moſuſſil Dewannee Adaulut at Raujehaut; and in lieu of the Moſuſſil Dewannee Adaulut at Azmery-Gunge, one Moſuſſil Dewannee Adaulut at Sultanoee, to be called the Moſuſſil Dewannee Adaulut at Sultanoee.

II. That ſo much of the Reſolutions of the late Preſident and Council of the twenty firſt day of Auguſt, one thouſand ſeven hundred and ſeventy-two, which directed, that the Collector in each Diſtrict ſhall preſide in the Provincial, or Moſuſſil Dewannee Adauluts, attended by the Provincial Dewan, be revoked and annulled; and that the ſeveral Courts of Moſuſſil Dewannee Adaulut at Midnapore, Patna, Derbungah, Taujepore, Natore, Dacca, Backergunge, Morely, Calcutta, Burdwan, and Moorſhedabad, be reſpectively held before the perſons who have heretofore been appointed Superintendants or Judges thereof; and that the ſeveral perſons, heretofore reſpectively appointed Regiſters thereof, be and remain the Regiſters of the Courts to which they are appointed; and that the Moſuſſil Dewannee Adaulut at Raujehaut be held before the perſon heretofore appointed the Judge of the Moſuſſil Dewannee Adaulut at Rogonautpore; and the Moſuſſil Dewannee Adaulut at Maſey before the perſon appointed the Judge of the Moſuſſil Dewannee Adaulut at Loyah; and the Moſuſſil Dewannee Adaulut of Sultanoee before the Perſon appointed Judge of the Moſuſſil Dewannee Adaulut of Azmery-Gunge: And that the perſon heretofore appointed Regiſter of the Moſuſſil Dewannee Adaulut at Rogonautpore, be the Regiſter of the Moſuſſil Dewannee Adaulut at Raujehaut; and the perſon appointed Regiſter of the Moſuſſil Dewannee Adaulut at Loyah, be the Regiſter of the Moſuſſil Dewannee Adaulut at Maſey; and the perſon appointed Regiſter of the Moſuſſil Dewannee Adaulut at Azmery-Gunge, be the Regiſter of the Moſuſſil Dewannee Adaulut at Sultanoee. And in caſe of the vacancy of the office of any Judge of any of the ſaid Courts of Moſuſſil Dewannee Adaulut, that the Governor General and Council do appoint one covenanted Company's Servant, of the ſtanding of a Factor at leaſt, to ſuch vacant office; and ſo, from time to time, as any vacancy may happen. And every perſon, already appointed, or to be appointed Judge of any of the ſaid Moſuſſil Dewannee Adauluts, ſhall be, and ſhall be ſtiled Judge of the Moſuſſil Dewannee Adaulut at that place to which he has, or ſhall be appointed; and ſhall not be removable from his office, except at his own requiſition, ſignified in writing under his hand, to the Governor General and Council; or on proof being made to the ſatisfaction of the Governor General and Council, that he has been guilty of ſome neglect of, or miſdemeanor, in the execution of his office. And in caſe of the vacancy of the office of Regiſter to any of the ſaid Courts, that the Governor General and Council do appoint one covenanted Company's Servant to ſuch office; and ſo, from time to time, as vacancies may happen. That the Courts of Chittrah, Boglepoor, Iſlamabad, and Rungpore be reſpectively held by that perſon who hath, or ſhall hereafter have the charge of the Revenue in each reſpective place; who ſhall be, and ſhall be ſtiled Judge of the Moſuſſil Dewannee Adaulut at the place to which he has been, or ſhall be appointed.

III. That each of ſuch of the Judges already appointed, who have not taken and ſubſcribed the following oath, do immediately; and every perſon, hereafter to be appointed a Judge of any Moſuſſil Dewannee Adaulut, before he ſhall enter on the execution of his office, do, before the Governor General and Council, or the Governor General, or ſuch perſon as ſhall, by the Governor General and Council, be deputed to adminiſter the ſame, take and ſubſcribe an oath in the following words:

"*I do ſwear, that I will adminiſter juſtice, to the beſt of my ability, knowledge and judgment, without fear, favor, promiſe, or hope of reward; and that I will not receive, directly or indirectly, any preſent, or* nuzzer, *either in money, or in effects of any kind, from any party in any cauſe, or from any perſon whatſoever, on account of any ſuit to be inſtituted, or which may be depending, or have been decided in the Court of Adaulut under my juriſdiction; nor will I, knowingly, permit any perſon or perſons under my authority, or in my immediate ſervice, to receive, directly or indirectly, any preſent or* nuzzer, *either in money or in effects of any kind, from any party in any cauſe, or from any perſon whatſoever, on account of any ſuit to be inſtituted, or which may be depending, or have been decided in the Court of Adaulut under my juriſdiction; and that I will render a true and faithful account of all ſums received for depoſits on cauſes and fees of court, and of all expenditures.*"

IV. That the eſtabliſhment of the native officers in the ſaid courts reſpectively, except in the Moſuſſil Dewannee Adauluts of Chittrah, Boglepore, Iſlamabad and Rungpore, be the ſame as the eſtabliſhment heretofore formed for the Moſuſſil Dewannee Adauluts of Patna, Dinagepore or Purnea, Moorſhedabad, Dacca, Burdwan, and Calcutta; except ſuch part of the eſtabliſhment of the Moſuſſil Dewannee Adaulut at Moorſhedabad, and of the Moſuſſil dewannee Adaulut at Calcutta, which was made for, and on account of, a Chutah or inferior Court of Moſuſſil Dewannee Adaulut.

V. That the Judges of the Moſuſſil Dewannee Adauluts, reſpectively, may appoint the native officers thereof, conformably to their reſpective eſtabliſhments; except the Naibs of the Nazirs, and except the Mirdahs and the Peons; and may, from time to time, remove any ſuch officer; and may, from time to time, when any vacancy ſhall happen, appoint any other perſon duly qualified, to the office which ſhall become vacant. That each Nazir, from time to time, do appoint his own Naib, and the Mirdah and Peons of the Court to which he ſhall belong; and may, from time to time, remove ſuch Naib, Mirdah and Peons, at his pleaſure. And each Nazir ſhall enter into a Mochulkah, or penal obligation, in ſuch ſum as ſhall be required by the Judge of the Court to which he ſhall belong, for the good behaviour of the Naib, Mirdah and Peons, ſo by him appointed. And the Judge of each Moſuſſil Dewannee Adaulut is hereby authorized to require, not only a Mochulkah from ſuch Nazirs, but alſo Mochulkals, and in ſuch ſums as he may deem proper, from the Munſiffs and other native officers and officers of his Court.

VI. That ſo much of the reſolution of the Governor General and Council, by which a Chutah, or inferior, Moſuſſil Dewannee Adaulut was erected at Moorſhedabad, and at Calcutta; and which granted an eſtabliſhment of Officers for the ſame, be annulled and revoked; and that to the ſeveral Moſuſſil Dewannee Adauluts at Patna, at Dacca, and at Moorſhedabad, there be added the following eſtabliſhment of officers:

6 Munſiffs, or public Arbitrators, with a Salary for each of 50 Rs. -	300
1 Paiſhcar - - - - - - - - - -	50
6 Mohrirs, one to be allowed to each Munſiff, at 10 Rs. each. -	60
1 Moonſhee. - - - - - - -	20
1 Naib. - - - - - - -	15
1 Buxie. - - - - - - -	20
Paper, pens and ink. - - - - - -	20

That the firſt Munſiffs be reſpectively appointed by the ſeveral Judges of the Courts, to which they ſhall belong; and ſhall, for reaſonable cauſe, be removable from their reſpective offices by the Judge of the Court, to which they ſhall belong: and, if any vacancy or vacancies ſhall happen in the office of any Munſiff, ſuch Judge ſhall, from time to time, appoint one other perſon to be Munſiff, in the room of the perſon making ſuch vacancy.

VII. That the Regiſter, Darogas and Paiſhcars; the Moolavies, Pundits, Aumeens, Munſiffs, Perſian Seriſhtadar or head Moonſhee, the Moonſhees and Mohrirs do take and ſubſcribe, in open court, before the Judge of the Moſuſſil Dewannee Adaulut to which they belong, to the following oath: "*I A. B. will truly and faithfully perform the office of* (Regiſter) *of this Court, according to the beſt of my knowledge and ability.*"

And that the Pundits do make and ſubſcribe the following declaration: "*I will faithfully execute the office of a Pundit in this court, on queſtions put to me in writing, or by word of mouth, by the ſaid court, or any Judge thereof. What is in the* Shaſter *I will declare, or give in writing: I will declare nothing not warranted by the* Shaſter. *If I declare any thing not warranted by the* Shaſter, *I ſhall be deſerving of puniſhment from* Iſhwor."

VIII. That it be the duty of the Regiſter, in each Moſuſſil Dewannee Adaulut to aſſiſt the Judge thereof, by making tranſlations into Perſian of ſuch papers as the Judge may require to be tranſlated, and to do all other official acts, which may be preſcribed to him by the ſaid Judge. That the Daroga of each court do, after the riſing of the court, procure all acts of the court to be executed, and do aſſiſt the Regiſter in arranging and keeping the records, muniments and papers of the court; but that he do not, in any other manner, on any pretence whatſoever, publicly or privately, interfere in any cauſe, matter, or thing depending before the court; or which may be intended to be brought before the court. That the Judge of every court may allot and aſſign

to the reſpective officers of the court, the particular buſineſs, which ſhall be, reſpectively done and performed by ſuch officers.

IX. That the ſaid courts of Moſuſſil Dewannee Adaulut, reſpectively, have full power and authority to frame and make ſtanding rules and orders, and rules of practice, for the adminiſtration of juſtice; ſo that the ſame be not uſed, in the ſaid courts, until they have been tranſmitted to the Sudder Dewannnee Adaulut, under the ſeal of that court, and ſignature of the Judge of the court, in which they ſhall have been framed; and until they ſhall have been tranſmitted by the Sudder Dewannee Adaulut to, and ſhall have been approved and ratified by, the Governor General and Council; and that ſuch rules, ſo ratified and approved, ſhall be and become rules, not only of the ſaid court which framed the ſame, but of all and every the courts of Moſuſſil Dewannee Adaulut. That a copy of theſe rules and regulations be forthwith tranſmitted to the ſeveral Moſuſſil Dewannee Adauluts, and that the Regiſter of each court ſhall, on the receipt thereof in the court to which he ſhall belong, mark ſuch copy with the day of the month and year, in which it ſhall have been received, and file the ſame of record; and ſhall, in like manner, mark and file of record every other copy of every ſtanding rule or order, for the adminiſtration of juſtice, which may hereafter be made by the Governor General and Council, or the Sudder Dewannee Adaulut, with the conſent and approbation of the Governor General and Council, which ſhall be tranſmitted to the Moſuſſil Dewannee Adauluts: And that a ſeparate book be kept, by the Regiſters, in which ſhall be entered a copy of theſe rules and regulations, and of ſuch ſtanding rules and orders, as aforeſaid; together with the date when the ſame ſhall be reſpectively received; which ſaid entries ſhall be ſeverally authenticated by the ſignature of the Judge, and ſhall be and remain records of the court.

X. That ſo much of the reſolution of the twenty eighth of March, one thouſand ſeven hundred and eighty, as directs a fee of two Annas per ſheet, to be taken on every exhibit, be annulled and revoked; and that ſuch of the Moſuſſil Dewannee Adauluts, which have not tranſmitted to this board a table of fees to be allowed to the officers and clerks of ſuch Courts, purſuant to the reſolution of the ſixth of April, one thouſand ſeven hundred and eighty one, do forthwith tranſmit ſuch a table of fees, to this Board, to be, by the Governor General and Council, controuled, altered, or approved; and that from ſuch tables of fees, which have been, or ſhall be tranſmitted, one table of Fees be framed by the Governor General and Council, which ſhall be tranſmitted to the ſeveral Moſuſſil Dewannee Adauluts; and the Judges of the ſaid Courts ſhall, within one week after they ſhall have received ſuch table of fees, cauſe one copy thereof, in the Engliſh language, and a faithful tranſlate thereof in the Perſian and Bengal languages, written in a legible hand, to be affixed in ſome conſpicuous place, in the rooms where the ſaid Courts ſhall be reſpectively held. And the ſeveral officers, to whom any fee ſhall be allowed by ſuch table, may, after the allowance thereof, demand and

receive the ſame; but that no officer, or any perſon concerned in the adminiſtration of juſtice in any Moſuſſil Dewannee Adaulut, do demand or accept any fee or fees, other than the fee or fees authorized by ſuch table; or any other ſum or ſums of money, reward, or gratuity, on any pretence whatſoever, on the forfeiture of treble the value of ſuch fee or fees unauthoriſed by ſuch table; or of any ſum or ſums of money, or of any reward or gratuity, accepted or received; the ſame being duly proved, either to the ſatisfaction of the Court, to which ſuch officer ſhall belong, or of the Sudder Dewannee Adaulut.

XI. That the Moſuſſil Dewannee Adauluts, reſpectively, ſhall have and uſe a Seal, on which ſhall be cut, in Perſian characters and in the Perſian language, the name of that Court to which it ſhall belong; which Seal ſhall be and remain in the cuſtody of the Judge thereof.

XII. That the juriſdiction, power and authority of the Courts of Midnapore, Raugehaut, Patna, Maſey, Derbungah, Taujepore, Nattore, Dacca, Sultanoe, Backergunge, Morely, Calcutta, Burdwan, and Moorſhedabad be diſtinct and ſeparate from that of any perſons, who now are, or hereafter may be, by what name ſoever called, in charge of the collection of the Revenues; and of the perſons now conſtituting, or who may hereafter conſtitute, the Committee of Revenue: and all ſuch perſons are hereby ſtrictly charged, and commanded, in no wiſe, and under no pretence whatſoever, to interrupt or interfere with any proceſs, proceedings, decrees, executions, acts, or orders of any of the ſaid Courts of Moſuſſil Dewannee Adauluts or any perſons acting by, or under, their authority; and that the juriſdiction, power, and authority of the Courts of Chittrah, Boglepore, Iſlamabad, and Rungpore ſhall be, and ſhall be conſidered, by the Judges thereof, as entirely diſtinct and ſeparate from the powers, and duties of their office of Collectors: that, as Collectors, they be ſubject to the orders and controul of the Committee of Revenue; that, as Judges, they be wholly independant of that Board, and ſubject only to the orders of the Governor General and Council, and of the Judge of the Sudder Dewannee Adauluts and ſhall do and perform all ſuch matters and things, as are, or ſhall be, required by the ſaid Governor General and Council, or the Judge of the Sudder Dewannee Adaulut: that they ſhall tranſmit copies of all their Judicial Proceedings as Judges to the Court of Sudder Dewannee Adaulut; to which an Appeal ſhall be, in like manner, as from the other Moſuſſil Dewannee Adauluts; and act in every reſpect in conformity to the Rules laid, or to be laid, down for the other Judges of the Moſuſſil Dewannee Adauluts, between whoſe judicial ſituation and theirs, no other difference is intended to exiſt, except that their courts will not require an eſtabliſhment equal to thoſe, which are held by Company's Servants not employed in the Collections.

XIII. That the Moſuſſil Dewannee Adauluts be reſpectively held in a large and convenient room in that town or place, from which the ſaid Courts are denominated,

three days in every week, and oftener if occaſion ſhall require, except in the months of Bhaudon, Auſſin, Aughron, and Pooſe; and that during the ſaid months no Court of Moſuſſil Dewannee Adaulut be held; and that no rule, order, proceeding, or decree of the ſaid Court be made, but on Court days, and in open Court.

XIV. That ſo much of the reſolutions of the late Preſident and Council, of the twenty firſt day of Auguſt, one thouſand ſeven hundred and ſeventy two, and of a reſolution of the Governor General and Council of the twenty eighth of march, one thouſand ſeven hundred and eighty, and every other reſolution, rule, or order of any former Preſident and Council, or of the Governor General and Council, by which the right of ſucceſſion or inheritance to Zemindaries, Talookdaries, Chowdraies, other land or houſe, was excepted from the juriſdiction of the Moſuſſil Dewannee Adaluts, and reſerved for the deciſion of the Preſident and Council, be revoked and annulled; and that the matters, cognizable in the Moſuſſil Dewannee Adaluts, reſpect being had to their local juriſdiction, as is herein after deſcribed, be all complaints, cauſes, ſuits, claims, diſputes, concerning any Zemindaries, Talookdaries, Chowdraies; any land or houſe, and concerning the inheritance or ſucceſſion to the ſame; or the bounds and limits thereof; or any right, title, claim, demand, intereſt or lien to or in the ſame; or to the poſſeſſion thereof; and concerning rents, debts, accounts, contracts, partnerſhips, ſales, or any property of any nature whatſoever, be the ſame real or perſonal; and all duties and demands whatſoever concerning the ſame, and all cauſes and diſputes concerning marriage and caſt.

XV. That every Court of Moſuſſil Dewannee Adaulut be authorized, and be declared to have full power, juriſdiction and authority, to hear, try and determine all, and every, the ſuit and ſuits, which have been, or may be, commenced therein, for the ſeveral cauſes above recited, where the Zemindary, Talookdary, Chowdray, other land, or houſe, concerning which, or the lien or intereſt of which, ſhall be in diſpute, lie and be; and in all other caſes, where the cauſe of action did, or ſhall, ariſe; or the defendant, at the time the ſuit commenced, did, or ſhall, reſide in the country, diſtrict, or place, over which the juriſdiction of ſuch court is herein after declared to be extended.

XVI. That the juriſdiction of the Moſuſſil Dewannee Adaulut at Midnapore extend, and be declared to extend, in and throughout, as well the diſtrict of Midnapore, as the diſtrict of Jellaſore: That the juriſdiction of the Moſuſſil Dewannee Adaulut at Ranjehaut extend, and be declared to extend, in and throughout as well the diſtrict of Pacheat including the petty Mahals, as the diſtrict of Biſhenpore: That the juriſdiction of the Moſuſſil Dewannee Adaulut at Churah do extend, and be declared to extend, in and throughout the diſtricts of Ramgur, Palamow, Naugpore, Kindy, Curreckdea, and Chackye: That the juriſdiction of the Mo-

Muſſil Dewannee Adaulut at Patna do extend, and be declared to extend, in and throughout the Sircars of Shahabad, Behar, and Rotas: That the juriſdiction of the Moſuſſil Dewannee Adaulut at Muſey do extend, and be declared to extend, in and throughout, as well the Sircar of Saran including Huſſipore, as the Sircar of Champarun including Betteah: That the juriſdiction of the Moſuſſil Dewannee Adaulut at Derbungah do extend, and be declared to extend, in and throughout, as well the Sircar of Tirhoor, as the Sircar of Hajpore; and in and throughout that part of Purnea lying to the weſtward of the Cooſah river, and that part of the Boglepore diſtrict, ſituated to the northward of the Ganges: That the juriſdiction of the Moſuſſil Dewannee Adaulut at Taujepore do extend, and be declared to extend, in and throughout the diſtricts of Havely Penjerah, or Dinagepore, the diſtrict of Purnea, excepting that part of it to the weſtward of the Cooſah, the diſtrict of Maldwar, and all that part of the Ragemahal diſtrict, ſituated to the weſtward of the Ganges: That the juriſdiction of the Moſuſſil Dewannee Adaulut at Boglepore do extend, and be declared to extend, in and through ut that part of the diſtrict of Ragemahal to the weſtward of the Ganges, that part of the Boglepore diſtrict to the ſouthward of the Ganges, the diſtrict of Mongheer, lying all to the ſouthward of the Ganges, and the Purgunnahs of Sultanabad and Ammar, being the preſent extent of the Collectorſhip; excepting ſuch parts thereof as lie to the northward, and eaſtward of the Ganges: That the juriſdiction of the Moſuſſil Dewannee Adaulut at Rungpore do extend, and be declared to extend, in and throughout the diſtricts of Rungpore, including Beharbund, and the diſtrict of Rangamatty, Goragaut, and Bajoohow or Bazuha, Seroopore, Partladah and Beeterbund: That the juriſdiction of the Moſuſſil Dewannee Adaulut at Nattore do extend, and be declared to extend, in and throughout the diviſion of Silberries, containing the Purgunnahs of Silberries proper, Barbuckpore, Chowgong, Chowra-Behar &c. Deyteah &c. Atteah, Burbazoo, Cogmary and Sonkoy; and in and throughout all thoſe parts of the late Zillah or diviſion of Moorſhedabad, that are ſituated to the northward of the Puddah, or eaſtern branch of the Ganges; the principal of which are the diſtrict of Bettoreah, including alſo that ſmall portion of it which is ſituated to the ſouthward of the Puddah, the Purgunnahs of Yookarnah, Rokunpore, Luſhkerpore, Chundly, Jehangueerpore, Colligong, Tyhirpore, Meſſedah, Hattindah, Futtajungpore, Mankowar, Coſſimpore, and Khirbah; together with ſuch other unſpecified parts of this diviſion, as lie to the ſouthward of the River; except the annexations made to the juriſdiction of Rungpore: That the juriſdiction of the Moſuſſil Dewannee Adaulut of Sultanoee do extend, and be declared to extend, in and throughout all Sylhet, and that portion of the Dacca Province, which is ſituated to the northward of the Burrampooter and the Teetaſs: That the juriſdiction of the Moſuſſil Dewannee Adaulut at Dacca do extend, and be declared to extend, in and throughout that portion of the Dacca Province bounded, on the

north by the rivers Teetaſs and Bu rampooter, to the eaſt by Tipperah and Chittagong, to the weſt by the river Megna as far as Chundpore, and thence to the north-weſt by the Colly Gongah and the Ganges or Puddah; to Booſnah on the weſt, and the diſtricts that form the eaſtern boundary of the juriſdiction of the Moſuſſil Dewannee Adaulut at Natore: That the juriſdiction of the Moſuſſil Dewannee Adaulut at Backergunge do extend, and be declared to extend, in and throughout that portion of the Dacca Province lying to the ſouthweſt of the Ganges or Puddah and the Colly Gongah, and to the weſt of the Megna, from Chundpore to the Sea; having for its weſtern limits the eaſtern frontier of the diſtricts of Booſna, and Jeſſore, down to the mouth of the river of Roymungal, including alſo all the iſlands belonging to, and ſituated on the coaſt of the Dacca Province; except the Purgunnah of Sundeep and its dependencies: That the juriſdiction of the Moſuſſil Dewannee Adaulut at Iſlamabad do extend, and be declared to extend, in and throughout the diſtricts of Chittagong, Tipperah, and the Purgunnah of Sundeep with its dependencies: That the juriſdiction of the Moſuſſil Dewannee Adaulut at Moorſhedabad do extend, and be declared to extend, in and throughout the diſtricts of Booſna, Shawujeal and Jeſſore; and in and throughout the Purgunnahs of Mohamed Shahy and Seydpore: That the juriſdiction of the Moſuſſil Dewannee Adaulut at Calcutta do extend, and be declared to extend, in and throughout the Purgunnah of Kiſnagore, the Chucklah of Hooghly, including that of Hidgelee, and the diſtricts of the twenty-four Purgunnahs and Mahomed Aummeenpore; That the juriſdiction of the Moſuſſil Dewannee Adaulut at Burdwan do extend, and be declared to extend, in and throughout the Chucklah or Purgunnah of Burdwan, including the diſtrict of Sarſyka and the Tannah of Futwah; and that the juriſdiction of the Moſuſſil Dewannee Adaulut at Moorſhedabad do extend, and be declared to extend, in and throughout the Purgunnahs of Beerbhoom and Reſhy, (excluſive of Amar and Sultanabad, annexed to the juriſdiction of the Moſuſſil Dewannee Adaulut of Boglepore, and Sereepore and Patladah, and Beetunbund, annexed to the juriſdiction of the Moſuſſil Dewannee Adaulut of Rungpore) and in and throughout the Purgunnah of Futteh-ſing, and ſuch remaining portion of the diviſion or Zillah of Moorſhedabad, (excepting Booſna, the Tannah of Cutwah, and Shawujeal,) as is ſituated to the ſouthward of the Puddah or Ganges.

XVII. That if any cauſe of action ſhall ariſe, or ſhall have ariſen, concerning any Zemindary, Talookdary, Chowdray, land, or houſe; or the inheritance or ſucceſſion to the ſame; or the bounds or limits thereof; or concerning any right, title, claim, demand, intereſt, or lien to or in the ſame; or to the poſſeſſion thereof, where ſuch Zemindary, Talookdary, Chowdray, land, or houſe, ſhall be in, or near the confines of, the local juriſdiction of any Moſuſſil Dewannee Adaulut; or if any other cauſe of action ſhall ariſe, or have ariſen; or if any defendant, againſt whom any ſuit is, or ſhall be, commenced, in any Moſuſſil Dewannee Adau-

ſuit, doth or ſhall reſide in, or near the confines of, the local juriſdiction of any Moſuſſil Dewannee Adaulut, and a ſuit ſhall be commenced in any court of Moſuſſil Dewannee Adaulut, whoſe confines are contiguous to the confines of the Moſuſſil Dewannee Adaulut to which ſuch ſuit might more properly belong, the Court, in which the ſuit ſhall be firſt commenced, ſhall proceed in the ſame, and hear, try and determine, and execute ſuch decree in the ſame manner, as if the Zemindary, Talookdary, Chowdray, land, or houſe, had been ſituate, or the cauſe of action had ariſen, or the defendant, in ſuch ſuit, had reſided within the undiſputed local juriſdiction of ſuch Court: And in ſuch, and in every other caſe where a ſuit has been inſtituted in one Court of Moſuſſil Dewannee Adaulut, in which ſuch ſuit is cognizable, it ſhall not be competent to any other Court of Moſuſſil Dewannee Adaulut, although ſuch other Court may have a concurrent juriſdiction with the Court in which the firſt ſuit was inſtituted, to entertain any ſuit for the ſame cauſe of action; and proof being made in any Court of Moſuſſil Dewannee Adaulut, in which a ſecond ſuit ſhall be commenced on the ſame cauſe of action, that the prior ſuit has been inſtituted in ſuch other Court of Moſuſſil Dewannee Adaulut for the ſame cauſe of action, the Court, in which the ſecond ſuit ſhall have been brought, ſhall diſmiſs the ſame with coſts to be paid by the parties there ſuing.

XVII. That ſo much of the reſolution of the twenty-eighth of March, one thouſand ſeven hundred and eighty, by which juriſdiction, in all cauſes which have any immediate relation to the Public Revenue, is given to, and declared to be in, the Provincial Council; and all other reſolutions whatſoever, by which any juriſdiction hath, or may have been given to any Provincial Council; and ſo much of the ſame reſolution, by which any former juriſdiction or authority was given to, or continued in, the Moſuſſil Dewannee Adaulut of Calcutta, of, or concerning, any houſes, lands, tenements and hereditaments, ſituate, lying, or being within the Town of Calcutta; or over any cauſe or matter whatſoever, in any ſuit whatſoever, where the defendant, at the time the ſuit commenced, reſided in the Town of Calcutta; or any other reſolution or reſolutions whatſoever, by which any ſuch authority was given to the ſaid court; and all other reſolutions whatſoever, by which any authority whatſoever, other than the authority conveyed by theſe preſent reſolutions; except in ſuits concerning marriage or caſt, where no money, or other valuable thing be demanded or decreed; and ſo much of the reſolution of the twenty eighth of March, one thouſand ſeven hundred and eighty, by which it was provided, that one moiety of the amount of a bond, on which a greater intereſt than the intereſt ſpecified in ſuch reſolution was reſerved, ſhould be forfeited to Government, and the other half to the debtor, be revoked and annulled: and that the powers and authorities, hereby given and deputed, do, in no wiſe, extend to, or conſtrued to extend to, authorize any Court of Moſuſſil Dewannee Adaulut, to entertain any ſuit or cauſe, for any matter or-

thing, directly or indirectly, relating to the public Revenue; nor concerning any demand of Government on Zemindars, Talookdars, Chowdries, or other Landholders, Farmers, Muttahids, Wadadars, Securities, Aumils, Taffildars, Etmaumdars, or others employed in the Collections, or, in any wife, refponfible for the Revenues; or any demands of Zemindars, Talookdars, Chowdries, or other Landholders, Farmers, Muttahids, Wadadars, Securities, Aumils, Taffildars, Etmaumdars, or other perfons employed in the Collections, on their under Farmers, Malzamins, inferior Landholders and Collectors or others, from whom rents or revenues have been immediately due to them: Nor any demands for rents or revenues on perfons employed in the collection of them, officially or hereditarily, in the different gradations downwards, from Government to the Ryots, or immediate occupants of the foil; nor again, in the fame manner, of any complaints of Ryots, and perfons of any of the abovementioned denominations, againft the perfons to whom they pay revenues in the different gradations upwards, for irregular, or undue exactions; nor for any oppreffions whatfoever; nor of, or concerning, any adjuftments between Zemindars, Chowdries, Talookdars or other Landholders, with their Securities, Farmers, or Wadadars; nor any claims of any Securities, Farmers, or Zemindars.

XIX. Nor to give any decree in any fuit concerning the fucceffion or inheritance to any Zemindary, Talookdary, Chowdray, land or houfe, where there be more claimants than one, who, by the Hindoo or Muffulman Law, (refpect being had to the religion of the claimant,) would be entitled to the fame; except the fame be, by fuch decree, adjudged to all fuch claimants, in fuch portions as they fhall be, refpectively, entitled to by the Law of that religion which the claimants profefs.

XX. Nor to authorize the Mufuffil Dewannee Adauluts to hear, try and determine any fuit whatfoever, againft any Zemindar, Talookdar, Chowdry, or any other perfon, where the cauſe of action fhall have arifen before the 19th. of Auguft, one thoufand feven hundred and fixty five; nor any fuit whatfoever, where the cauſe of action fhall have arifen twelve years before any fuit fhall have been commenced for the fame; unleſs where the complainant can fhew, by clear and pofitive proof, that he had made demand of the fum or matter in queſtion, and that the defendant had admitted the truth thereof, or promifed to pay the money, or directly preferred his claim for the matters in difpute to a Court of competent jurifdiction to try the fame, within that period; and prove, to the fatisfaction of the Court, why he had not proceeded in the fame; and that, either from a minority, or other good and fufficient cauſe, he had been precluded from the means of procuring redreſs: Nor any fuit againft any Zemindar, Talookdar, Chowdry, or other holder of land, being Malguzary, for any fum of money or other valu-

able conſideration; or any debt, contract or duty contracted by his predeceſſor, unleſs it ſhall be proved, to the ſatisfaction of the Court, that the money, originally lent, or ariſing from ſuch other valuable conſideration, was for the ſervice of the Zemindary, Talookdary, Chowdray, or other land, and actually paid to the Government as part of the revenues thereof: Nor in caſe of part having been paid, to decree the plaintiff more than ſuch part, with intereſt for ſuch part, at the rate herein after mentioned: Nor paſs any decree, in any ſuit, againſt any ſuch Zemindar, Talookdar, Chowdry or other landholder, on the proof ariſing from any bond, note, or inſtrument only, without direct proof, to the ſatisfaction of the Court, that the principal ſum ſued for, really, and bona fide, was lent and paid in ready money: Nor to decree any intereſt on any debt due from any ſuch Zemindar, Talookdar, Chowdry, or other landholder, beyond the ſimple intereſt of eight per cent per annum, to be calculated from the time the intereſt firſt began to accrue, to the thirtieth of Choit, or the thirtieth of Bhadun, next enſuing the date of the decree, according to the period, reſpectively eſtabliſhed for the cloſe of the year in the province, or Soubah, to which the Zemindary, Talookdary, Chowdray, or other land ſhall belong; ſo that the aggregate ſum produced by the intereſt thus added to the principal, ſhall be, and ſhall be conſidered, the only debt due from ſuch Zemindar, Talookdar, or Chowdry or other landholder: Nor except the decree do provide, that the ſame be paid by yearly inſtalment, which the Judge, according to his diſcretion, is hereby authorized to limit and appoint: Nor to authorize any decree by which any ſum of money is decreed to be paid by any ſuch Zemindar, Talookdar, Chowdry or other landholder, to be otherwiſe enforced, or executed, than in the manner following; that is to ſay, the Judge ſhall cauſe a copy of the decree to be delivered to the plaintiff or his Vakeel, who ſhall preſent the ſame to the Committee of Revenue, who are hereby required and commanded to cauſe the ſame to be regiſtered, together with the date of the day on which it was preſented, in the Sudder Canoongoe Office; and to cauſe payment of the current Kiſt to be made within three months from the time of its being preſented, either in ready money, if the Zemindar, Talookdar, Chowdry, or other landholder poſſeſſes either Moſhaira, or any other reſource, which it ſhall be in the power of the Committee to command; or if the Zemindar, Talookdar, Chowdry, or other landholder, poſſeſſes no ſuch reſource, then by ſale of ſuch portion of the Zemindary, Talookdary, Chowdray, or other land, as ſhall ſuffice to diſcharge the Kiſt, on the plaintiff, or his Vakeel, ſigning a receipt on the back of the decree for every payment; and alſo a correſpondent receipt to be lodged with the defendant, and regiſtered in the Canoongoe Office; and on the plaintiff or his Vakeel, when the laſt payment ſhall be made, delivering up to the ſaid Committee the copy of the decree, with all the receipts endorſed on the ſame in the manner heretofore preſcribed, together with

a receipt in full, which ſaid copy of the decree and receipts the ſaid Committee are thereupon required to cauſe to be depoſited and kept among the muniments of the Canoongoe Office: Nor concerning any debt, contract, bond, or other engagement entered into, or concluded, by any ſuch Zemindar, Talookdar, Chowdry, or other landholder after the firſt of Auguſt, one thouſand ſeven hundred and eighty-one; unleſs it ſhall be proved to the Court, that the ſame ſhall have been contracted with the previous ſanction and conſent of the Committee of Revenue, and that a note or memorandum, ſpecifying ſuch ſanction and conſent, ſhall have been regiſtered in the Sudder Canoongoe Office: Nor to any debt, contract, bond, or other engagement, entered into, or concluded, by any ſuch Zemindar, Talookdar, Chowdry, or other landholder, with any European, or with any native officers employed in the collection of the Revenues, or in any Courts of Juſtice, whether a memorandum of ſame be, or be not regiſtered.

XXI. Nor to give any decree in any ſuit, where the cauſe of action ſhall have ariſen before the twenty-eighth of March, one thouſand ſeven hundred and eighty, by which any intereſt on any ſum ſhall be given above the rates following; viz. On ſums, not exceeding one hundred rupees principal, an intereſt of three rupees two annas per menſem, or half an anna in the rupee: on ſums above one hundred rupees principal, an intereſt of two rupees per cent per menſem; ſo that the principal and intereſt be diſcharged according to the condition of the bond: Nor to give any compound intereſt ariſing from any intermediate adjuſtment of accounts: Nor in any ſuit commenced ſince the twenty-eighth of March, one thouſand ſeven hundred and eighty, any higher intereſt than two per cent per menſem, or twenty four per cent per annum, where the principal ſum ſhall be under one hundred rupees; nor more then one per cent per menſem, or twelve per cent per annum, where the principal ſum ſhall exceed one hundred rupees; Nor any intereſt whatſoever, where the bond, or inſtrument given for the ſecurity or evidence of any debt, contract, or engagement, if made before the twenty-eighth of March, one thouſand ſeven hundred and eighty, ſhall ſpecify a higher intereſt than the rates eſtabliſhed for debts and duties due before that period: Nor, if ſuch bond or inſtrument ſhall have been made after the twenty-eighth of March, one thouſand ſeven hundred and eighty, any higher rate of intereſt than that eſtabliſhed for debts and duties ſince that time: Nor to give any decree in favour of the plaintiff, where ſuch laſt mentioned greater intereſt ſhall have been reſerved, if any attempt ſhall be made, by any ſhift or device, to elude this regulation, by any deductions from the original loan, under whatever denomination, or any other means whatſoever; nor any other judgment, but for the diſmiſſion of the ſuit with coſts, to be paid by the plaintiff.

XXII Nor to decree the payment, or ſatisfaction of any ſum due, or owing, on any Tamaſſook or bond, which ſhall have been made after the twenty-eighth of

March, 1780, (where the Tamaſſook or bond ſhall not have been proved to have been executed in the preſence of two credible witneſſes; except the payment of the ſum demanded on the ſaid Tamaſſook or bond, or ſome other valuable conſideration for the ſame having been had or received, ſhall be proved to the ſatisfaction of the Court; ſo that this reſtriction do not extend to, or be underſtood to extend to, any bills of exchange, receipts, or notes of hand, in the determination on which, the cuſtom of the country is to be referred to, and abided by.

XXIII. Nor to authorize the Moſuſſil Dewannee Adaulut at Calcutta to receive, or entertain, any ſuit whatſoever, under any pretence whatſoever, brought on account of, relating to, or in any wiſe concerning, any land, houſe, tenement or hereditament, or any diſpute of boundaries of lands, houſes, tenements or hereditaments, ſituate, lying and being within the Town of Calcutta; (which, for the purpoſe of theſe regulations, is hereby declared to be ſituate and contained within, and bounded by, a line drawn by the bridge and Nulla of Baug Bazar, Shaum Bazar or Cow-Croſs, the Mahratta intrenchment and the road adjoining the ſame, continued to the weſtward of the Collighat Road, the Govindpore Nulla, and the river); or any ſuit whatſoever, againſt any perſon who ſhall be, at the time the ſuit commenced, or ſhall, after the ſuit commenced, become, reſident in, and inhabitant of, the ſaid town. And the ſaid Court of Moſuſſil Dewannee Adaulut at Calcutta is hereby ſtrictly ordered and commanded, in no wiſe to intermeddle with, or take cognizance of, ſuch ſuits as aforeſaid, which are totally exempt from any juriſdiction, which, by theſe reſolutions, was delegated and deputed to the ſaid court: Provided, nevertheleſs, that this reſolution do not, nor be conſtrued to, extend to prohibit the Moſuſſil Dewannee Adaulut at Calcutta to entertain any ſuit concerning marriage and caſt, where no money, or other valuable thing, ſhall be demanded or decreed, altho' the cauſe of action ſhall ariſe, or ſhall have ariſen, or the defendant ſhall reſide, or ſhall have reſided, at the time the ſuit commenced, within the town of Calcutta.

XXIV. Nor to authorize any Moſuſſil Dewannee Adaulut to hold any juriſdiction in any cauſe, matter or thing of a criminal nature, and which is cognizable by the Courts of Fouzdarry Adaulut, other than for contempts and perjuries committed in open Court, and in the manner herein after provided.

XXV. That any perſon whatſoever, by himſelf or his Vakeel, may, for any of the cauſes hereby made or declared to be cognizable by the Moſuſſil Dewannee Adauluts, prefer a complaint in writing to that Court of Moſuſſil Dewannee Adauſut, to which the cognizance of his cauſe ſhall belong; whereupon the ſaid Court ſhall iſſue a Tullub Chitty; which Tullub Chitty ſhall contain a ſhort account of the nature of the demand contained in the complaint, and ſhall require ſuch perſon to appear at a certain time in the Moſuſſil Dewannee Adaulut, to make anſwer to the ſaid com-

plaint; a copy of which Tullub Chitty ſhall be ſerved by the Nazir, or his inferior miniſter, on the defendant, if he can be found; and the Nazir, or his inferior miniſter, ſhall enforce obedience to the ſame, by compelling ſuch defendant to appear: or the ſaid Court may authorize the Nazir to take ſecurity, in ſuch ſum as the Court may direct, for the appearance of ſuch defendant. And the Nazir ſhall return, on the day appointed in the Tullub Chitty, the Tullub Chitty, with an endorſement thereon ſpecifying in what manner he hath executed the ſame; and if the defendant ſhall appear, the Court ſhall fix a certain day, according to the diſcretion of the Court, for him to make anſwer to the ſaid complaint; and may, if the Court ſhall deem it reaſonable ſo to do, grant further day or days for the defendant to make anſwer; and may take good and ſufficient ſecurity, that the defendant ſhall, on the day fixed, make anſwer to the ſaid complaint, and ſhall abide, and perform, ſuch order or decree, as by the Court ſhall be made in the cauſe: and unleſs ſuch defendant ſhall find ſuch good and ſufficient ſecurity, he ſhall be committed to cloſe cuſtody until he ſhall have anſwered and performed the decree of the Court, or given ſuch ſecurity as aforeſaid. And when the ſaid defendant ſhall have made anſwer to the complaint, the plaintiff ſhall, on the next Court day, reply to the ſame: but ſhall not be permitted to introduce, by his replication, any matter whatſoever, which was not contained in his bill of complaint; but ſhall either confeſs the anſwer of the defendant to be true, or ſhall ſimply and ſhortly deny the truth of ſuch facts contained in the anſwer which he intends to diſpute; or ſimply deny the truth of all the facts contained therein, or the competency of the anſwer. And the defendant ſhall, on the ſame day, immediately rejoin to the ſame; but ſhall not be permitted to introduce, by his rejoinder, any matter not contained in his anſwer; but ſhall ſimply deny the truth of the replication of the plaintiff, or ſuch parts as he means to diſpute, and aver the truth or competency of his own anſwer; and no further pleadings whatſoever ſhall be admitted in the cauſe. But if, by miſtake or inadvertence, or any other cauſe, the plaintiff ſhall have omitted to inſert in his complaint any thing material in the cauſe, on ſtating the ſame to the Court, either by himſelf or his Vakeel, the Court may permit the plaintiff to prefer a ſupplemental complaint, ſtating ſuch matter; to which the defendant ſhall be at liberty to put in, on a day to be fixed for that purpoſe, another anſwer; and the plaintiff and defendant ſhall reply and rejoin in the ſame manner, and no other, as they ſhall have done on the original complaint And if the defendant, in like manner, ſhall, by miſtake or inadvertence, or any other cauſe, have omitted to inſert in his anſwer any thing material to his defence, on ſtating the ſame to the Court, either by himſelf or his Vakeel, the Court may permit the defendant to put in an additional, or ſupplemental, anſwer; to which to the plaintiff and defendant may reply and rejoin, in the ſame manner, and no other, as they ſhall have done on the original anſwer; ſo that no more than one ſupplemental complaint, or one ſupplemental anſwer, be admitted or received by the Court. And in all caſes where the

defendant ſhall refuſe or neglect to rejoin, at the time appointed for that purpoſe, the Regiſter of the Court ſhall enter a rejoinder for him, and the cauſe ſhall be proceeded on in like manner as if the defendant himſelf rejoined. And when the rejoinder ſhall have been put in, and the ſeveral cauſes thereby be thus in iſſue, the Court ſhall immediately fix a day, and ſhall, on the day fixed, (eight days notice whereof ſhall be given to the parties,) or as ſoon after as the buſineſs of the Court will permit, examine the truth thereof by the oaths of the parties, if they mutually conſent to the ſame; and of ſuch witneſſes as ſhall be produced by both parties, if ſuch parties have any witneſſes to produce; and for that purpoſe the Courts of Moſuſſil Dewannee Adaulut may, on the requiſition of any plaintiff or defendant, or their Vakeel, iſſue a ſummons to ſuch witneſs, as the parties ſhall name, (not being a Hindoo or Muſſulman woman of a rank or quality which, according to the prejudices of the country, would make it improper to compel her to appear in an open Court of juſtice,) ſpecifying at whoſe requeſt the ſummons ſhall have iſſued, and requiring them to appear in the Moſuſſil Dewannee Adaulut, on a day named in the ſummons, there to depoſe concerning the matter in diſpute between the parties; and if ſuch witneſs, ſo ſummoned, ſhall not attend on the day appointed, or, attending, ſhall refuſe to give evidence or to ſubſcribe his depoſition, as is herein-after required, the Judge of the Moſuſſil Dewannee Adaulut may, in the firſt caſe, if it ſhall be proved to his ſatisfaction on oath, that the witneſs was material to the cauſe, iſſue an order to the Nazir to ſeize and bring ſuch witneſs, not attending, before the Court, and ſhall and may inflict on ſuch witneſs, not having attended, or refuſing to give evidence, a fine not exceeding five rupees; and may commit ſuch witneſs to cloſe cuſtody, until he ſhall conſent to give his evidence and ſign his depoſition in the cauſe; and if any witneſs ſhall, in conſequence of ſuch ſummons, appear, who ſhall have incurred any expence in conſequence thereof, the Court may award to him ſuch ſum of money for the ſame, as the Court ſhall think reaſonable, be the witneſs examined or not: And if the ſum, ſo awarded, ſhall not be paid immediately, or ſecured to the witneſs to the ſatisfaction of the Court, the party, at whoſe requiſition the witneſs was ſummoned, (if ſuch party and two credible witneſſes ſhall not have taken the oath hereafter required in caſes of poor perſons not able to pay the depoſit money, fees due to officers, and coſts,) ſhall not only loſe the benefit of the teſtimony of ſuch witneſs, but ſhall be compelled to pay ſuch witneſs the ſum ſo awarded; and for that purpoſe, after the decree ſhall be paſt in the cauſe, ſhall, by order of the Court, be committed to cloſe cuſtody until he ſhall have paid the ſame. And the Moſuſſil Dewannee Adaulut ſhall adminiſter to ſuch parties, ſo conſenting to be examined on oath, and to ſuch witneſſes ſuch oaths, as, according to their different religions and perſuaſions, ſhall be deemed moſt binding on their conſciences: provided, that where any witneſs or witneſſes may be of ſuch rank,

caſt or quality, that it may be, from the prejudices of the country, improper to adminiſter an oath to them, the Judge of the Court may diſpenſe with their being ſworn on their ſubſcribing a declaration to the following effect; to wit, if the witneſs be a Hindoo: "*I will faithfully anſwer ſuch queſtions as ſhall be put to me by the Court, in the cauſe now before the Court, according to the truth; I will declare nothing not warranted by the truth; if I declare any thing not warranted by the truth, I ſhall be deſerving of puniſhment from* Iſhwur." And in caſe ſuch witneſs be a Muſſulman: "*I do ſincerely promiſe and ſwear, in the preſence of Almighty God, that I will faithfully, without partiality, anſwer any queſtion, put to me by the Court, reſpecting the cauſe now before the Court, according to the truth.*" And the teſtimony and depoſition of ſuch witneſs or witneſſes, ſo ſubſcribing, ſhall be read and received as good evidence in the cauſe, and be filed and recorded in like manner as if the witneſſes had been ſworn. And the Court ſhall cauſe the depoſition of every witneſs to be ſeparately reduced into writing, and to be ſubſcribed by the witneſs with his or her name or mark, and to be filed of record. And every exhibit or written evidence whatſoever (other than exhibits proved by ſuch abſent witneſſes as are herein-after mentioned) ſhall be produced in open Court at the trial, and ſhall, if diſputed, be duly proved by the examination of witneſſes ſworn as aforeſaid: whoſe depoſitions ſhall, in like manner, be reduced into writing and ſigned as aforeſaid. And every exhibit ſhall be marked with ſome letter or number to identify the ſame; and ſuch letter or number ſhall be referred to in the depoſition proving the ſame. And all exhibits, proved by witneſſes not preſent in Court as aforeſaid, ſhall, in like manner, be marked and referred to in the depoſitions proving them; and ſhall be indorſed and minuted as being read at the time they are read in the Court. And in caſe of any witneſs being a Hindoo or Muſſulman woman, of a rank or quality which, according to the prejudices of the country, would make it improper to compel her to appear in an open Court of Juſtice, the Courts of Moſuſſil Dewannee Adaulut are hereby authorized to depute or commiſſion three credible perſons, being women, who ſhall be called Dyes (ſuch women being firſt ſworn to execute the ſaid commiſſion faithfully and truly) to adminiſter, either an oath, or ſuch declaration as is before required from perſons of high rank, according to the diſcretion of the judge and the religion of the witneſs; and to examine ſuch witneſs, on written interrogatories delivered, to the perſons ſo deputed, by both parties or their Vakeels, if both parties ſhall deſire to examine ſuch witneſſes. And, in like manner, if any witneſs or witneſſes, whoſe depoſitions ſhall be neceſſary to the determination of any cauſe, ſhall live and reſide out of the juriſdiction of the Moſuſſil Dewannee Adaulut in which the ſuit is inſtituted, and at a greater diſtance from the ſame than 50 coſs, the Judge of the Court of Moſuſſil Dewannee Adaulut is hereby authorized, by letter ſigned by himſelf and ſealed with the ſeal of the Court, to requeſt the Judge of the Moſuſſil Dewannee Adaulut, in whoſe juriſdiction ſuch witneſs or witneſſes ſhall live

and reſide, to adminiſter either an oath, or ſuch declaration as is before required from perſons of high rank, according to the diſcretion of the Judge who ſhall grant ſuch commiſſion, and the religion of the witneſs; and to examine ſuch witneſs on written interrogatories delivered or tranſmitted, to the Judge ſo deputed, by both parties or their Vakeels, if both parties ſhall deſire to examine ſuch witneſs. And the Judge, to whom ſuch letter is directed, is hereby authorized and required to examine each witneſs, named in ſuch letter, according to the requiſition thereof and the perſon ſo commiſſioned; and the Judge, to whom ſuch letter ſhall be directed, ſhall return the depoſitions of ſuch witneſſes, ſigned by ſuch witneſſes, to the Judge of the Court, in which the cauſe is depending, at the time required by the commiſſion or letter; and ſuch depoſitions, ſo taken, ſhall be read and received as good evidence in the cauſe, and ſhall be filed of record; and when the parties ſhall have been heard, and all the witneſſes on both ſides examined, ſhall give judgment, and ſhall decree according to juſtice and right; and if money be ordered to be paid by ſuch decree, ſuch Judge may, by his decree, award the payment thereof to be made, by Kiſtbundy or inſtalment, from the defendant, and direct, that the ſeveral Kiſts or inſtalments ſhall be paid according to the reſpective times limited thereby: and, if the intereſt on any loan has accumulated ſo as to exceed the principal, may according to his diſcretion on the review of the circumſtances of the debtor, decree the payment of the debt according to this known and eſtabliſhed cuſtom of the country; namely, where the intereſt has accumulated ſo as to exceed the principal, to reduce it to one half of the principal; or where the intereſt has exceeded one half of the principal, to reduce it to a quarter; and ſhall order coſts to be paid to the party, in whoſe favor the decree ſhall be made, ſuch coſts having been firſt taxed by the Judge of the Court; and the ſaid Court ſhall cauſe the decree to be executed, in caſe any Zemindary, Talookdary, Chowdray, other land, or houſe, be decreed to the plaintiff, by cauſing poſſeſſion of the ſame to be delivered; and in caſe of any other property being decreed to the plaintiff, by ordering the ſpecific thing to be delivered, or by cauſing the value of the ſum, or other thing decreed, to be levied by ſale of the lands and houſes being Lakerage or free land; and of all other the effects, either real or perſonal, of the party againſt whom judgment ſhall have been given, by public auction or by attachment of the perſon; or, where it ſhall be neceſſary, both by ſale of the effects and attachment of the perſon: provided, nevertheleſs, that in every caſe whatſoever, when any decree ſhall be made concerning the ſucceſſion or inheritance to any Zemindary, Talookdary, Chowdray or other land being Malguzary, or in any wiſe concerning the poſſeſſion thereof, the Judge of the Court, in which ſuch decree ſhall be made, ſhall, within one week after making ſuch decree, certify to the Governor General and Council, under his hand and the ſeal of the Court, a copy of ſuch decree, and alſo a ſhort abſtract thereof ſpecifying the time when the ſame was made, the name of the perſon who was laſt in poſſeſſion of the Zemindary, Talookdary, Chowdray or other land, and of the perſon to whom the ſame ſhall be decreed.

XXVI That if any ſuit be inſtituted in any Moſuſſil Dewannee Adaaluts, to which Munſiffs are hereby, or ſhall hereafter, be appointed, and the cauſe of action ſhall not exceed the ſum of 200 ſicca Rupees, it ſhall be competent to the Judge of the Court, with or without the conſent of the parties, to refer the ſaid ſuit to one arbitrator for his final deciſion and award; and the Judge, before he ſhall make ſuch reference, ſhall, in open Court, require the parties or their Vakeels, on or before the next Court day, mutually to chooſe ſome one common friend, or indifferent perſon, willing to accept the arbitration; or to nominate one perſon from among the Munſiffs to be arbitrator in the cauſe: and if the parties ſhall agree in the nomination of an arbitrator willing to accept the arbitration, or ſhall nominate a Munſiff to be arbitrator, the perſon choſen, or nominated, ſhall be the arbitrator in the cauſe; and in default of the parties, ſo mutually chooſing or nominating, or in caſe the common friend and indifferent perſon mutually choſen ſhould refuſe to accept ſuch arbitration, the Judge ſhall, of his own authority, appoint one perſon from among the Munſiffs to be arbitrator in the cauſe; and the arbitrator ſo being choſen, nominated or appointed, the Judge of the Court ſhall tranſmit to ſuch arbitrator a copy of the bill of complaint, and ſhall, by a ſhort writing under his ſignature, refer all matters in diſpute to ſuch arbitrator; and in ſuch caſe the Court ſhall grant the like proceſs as well to the parties and witneſſes to appear before ſuch arbitrator, and ſhall adminiſter ſuch oath to the parties and witneſſes, as the Court is authorized to do in cauſes tried before the Judge thereof: And the ſeveral perſons, not attending in conſequence of ſuch proceſs, or making any default, or refuſing to give their teſtimony or ſign their depoſitions, or being guilty of any contempt to the Munſiff in the executing of his office, ſhall be ſubject to like diſadvantages, penalties and puniſhments, by order made by the arbitrator, as they would incur for the ſame cauſes in ſuits tried before the Judge of the Court; ſo that the arbitrator do report ſuch order, together with the reaſon for making the ſame, to the Judge of the Court, and do obtain the conſent of the Judge thereto; which ſhall be ſignified by ſuch Judge ſigning ſuch order with his name. And ſuch arbitrator ſhall hear, try, and determine ſuch ſuit, ſo referred, ſo that he do proceed in like manner (or as near as may be) as Judges in Moſuſſil Dewannee Adaaluts are directed to proceed in cauſes tried by them; and ſhall make and deliver in his award on a day to be fixed by the Judge of the Court, who is hereby authorized, if he ſhall ſee reaſonable cauſe, to prolong and enlarge, according to his diſcretion, the time of delivering in the award; and when ſuch arbitrator ſhall have made his award, he ſhall refer the ſame, together with a ſummary ſtate of the caſe, in writing under his ſignature and ſeal, to the Judge, who ſhall reviſe and correct, or confirm ſuch award, and ſign the ſame with his own name; and ſuch award, ſo corrected or confirmed, ſhall be final and concluſive on the parties, and ſhall be entered and recorded in the proceedings of the cauſe. And the Judge of the Court ſhall make his decree conformable to ſuch award; and ſuch arbitrator ſhall, at the time of the delivery of his award, deliver into the Regiſter of

the Court the whole of the proceedings, depoſitions and exhibits had before him, which ſhall be marked by the Regiſter with the names of the parties in the cauſe, and the date when the ſame was delivered, and ſhall be depoſited among the muniments of the Court; and the decree made thereon ſhall be carried into execution in the ſame manner as other decrees are directed to be executed.

XXVII. That where any ſuit ſhall be commenced in any Moſuſſil Dewannee Adaulut, where the cauſe of action ſhall not exceed 100 Rupees, the Judge may recommend to the parties to appoint ſome perſon, whom they ſhall mutually agree on to be arbitrator in the cauſe, on or before the next Court day; and if ſuch parties ſhall neglect or refuſe to appoint ſuch arbitrator, the Judge of the Court may appoint the Zemindar, or ſome public officer or principal man, near the place where the cauſe of action ſhall have ariſen, to be arbitrator therein; and ſuch perſon, mutually choſen, or ſuch perſon ſo appointed, ſhall report his award at a time to be fixed by the Judge of the Court, who ſhall peruſe the ſame; and, if he ſhall approve thereof, ſhall order it to be entered of record, and decree according thereto; and if he ſhall diſapprove the ſame, then make ſuch alteration therein as juſtice ſhall require, and ſhall record ſuch award, ſo altered, and make his decree according thereto.

XXVIII. That the Moſuſſil Dewannee Adaulut be authorized and empowered to make ſuch other orders in the courſe of the cauſe, as juſtice may require.

XXIX. That where any defendant to any ſuit in any Moſuſſil Dewannee Adaulut ſhall be committed to cloſe cuſtody, at the inſtance of the plaintiff, for any other cauſe than diſobedience to an order of the Court, and until ſuch time as he ſhall have obeyed, the Judge ſhall, at the time of the commitment of ſuch defendant, make an order on the plaintiff for the due payment of ſuch monthly allowance, as the Judge ſhall think reaſonable for the ſubſiſtence of the defendant, reſpect being had to the rank of the defendant, and circumſtances of the plaintiff; ſo that no ſuch allowances ſhall exceed the ſum of four Annas, or be leſs than one Anna per diem; which ſaid monthly allowance ſhall be made payable to the Nazir, who ſhall give receipts to the plaintiff for the ſame, dated on the day on which ſuch monthly allowance ſhall be paid; the firſt payment whereof ſhall be made immediately, and every payment after ſhall be paid at the expiration of every month, to be calculated from the day on which the defendant was committed. And if ſuch plaintiff ſhall neglect or refuſe to pay ſuch allowance for the ſpace of one month after any payment ſhall become due, the Nazir ſhall make a report to the Judge in writing, and under his ſignature, of ſuch neglect or refuſal, whereupon the Judge of the Court ſhall cauſe a notice in the Perſian and Bengal languages to be affixed in ſome conſpicuous place in the room where the Adaulut is holden, that if the plaintiff ſhall not, within one month after the date thereof, make ſuch payments as are in arrear, together with one month's allowance, the Court will diſcharge ſuch defendant out of cuſtody: And if ſuch plaintiff ſhall not make ſuch payments, as by

the notice he is required to make, the Court ſhall diſcharge ſuch defendant out of cuſtody.

XXX. That if any defendant, againſt whom a Tullub Chitty ſhall have iſſued, ſhall have abſconded, or is not, after diligent ſearch, to be found; and the Nazir ſhall have returned ſuch cauſe for not having ſerved the ſame, the Judge of the Court ſhall cauſe a writing in the Perſian and Bengal languages to be ſtuck up in ſome conſpicuous part of the room in which the Court ſhall be held; which writing ſhall contain a copy of the Tullub Chitty, and a notice, that if the party ſhall not appear on a day to be fixed, (not leſs than ten days from the time that the ſame ſhall be fixed up) the Court will, without further notice, proceſs, or order, proceed to hear, try, and determine the cauſe without the appearance or anſwer of the defendant. And the Court ſhall order a copy of the ſaid Tullub Chitty and notice to be read, and proclaimed by beat of Dowl or drum, in the village in which the defendant laſt reſided, on three ſeveral days within the time limited by ſuch notice for the appearance; and the Nazir ſhall return ſuch order with an indorſement ſtating at what times and place ſuch proclamations were made, which ſhall be filed of record. And if ſuch defendant, on whom no Tullub Chitty can be ſerved, after ſuch notice and proclamation, ſhall not appear at the time limited in ſuch notice; or if any defendant, having been ſerved with ſuch Tullub Chitty, ſhall not appear; or if, having appeared, he ſhall refuſe to give anſwer or make other default, or ſhall admit the truth of the plaintiff's bill of complaint, the Court ſhall, on examining the allegations of the plaintiff only and the depoſitions of his witneſſes, decree and give judgment in like manner as if the defendant had appeared, anſwered, and entered into proof. And if the plaintiff ſhall, at any time, neglect to proceed in his cauſe for the ſpace of ſix weeks, the cauſe ſhall be diſmiſſed; except the plaintiff can ſhew good and ſufficient cauſe to the Court for his not proceeding therein; and the Court may award to the defendant ſuch coſts as he may have incurred in ſuch ſuit. In caſe any defendant, for whoſe appearance ſecurity ſhall have been taken, ſhall not appear, or, having appeared, ſhall refuſe to give anſwer, the plaintiff may, at his option, either inſtitute a ſuit againſt the ſecurities on their engagement, in which ſuit ſhall be recovered that which ſhall be proved due from the defendant to the plaintiff; or proceed againſt the defendant in like manner as defendants may be proceeded againſt, who have been ſerved with a Tullub Chitty, and who have not appeared, or who have refuſed to give anſwer.

XXXI. That ſo much of the reſolutions of the 28th. of March 1780, which authorizes the Chief of any Provincial Council, or any other perſon, to iſſue his warrant for apprehending any perſon, whom he may require to anſwer any charge in the Moſuſſil Dewannee Adaulut, and which prohibits the Superintendant of any Moſuſſil Dewannee Adaulut to ſummon, from the Moſuſſil, Farmers, or Zemindars, or perſons employed in the collections immediately under the Provincial Councils, but

to order their Vakeels to appear; and, in caſe of their not ſending Vakeels, requiring the Superintendant of the Adaulut to make application to any Chief and Council; and which authorizes ſuch Chief and Council to ſummon ſuch Farmer, Zemindar, or Collector, or to decline ſo to do; and ſo much of the ſame reſolutions that lay reſtrictions on the Superintendants of the Moſuſſil Dewannee Adauluts in ſummoning inferior perſons from the Moſuſſil, and which require that the Tullub Chitty or order ſhould be directed to the Farmer requiring him to produce the perſon ſummoned; and all other reſolutions of the late Preſident and Council, and of the Governor General and Council, in any wiſe concerning and relating to the iſſuing of proceſs to any party or witneſs whatſoever, be annulled, and revoked: And that every proceſs, rule, order, or decree of the Moſuſſil Dewannee Adaulut (except in the caſe hereby otherwiſe provided for) ſhall be immediately ſerved or executed without application to, or the interference of, any perſon whatſoever, according to the requiſition thereof: Provided, that in every caſe where any Zemindar, Talookdar, Chowdry, or other landholder, or perſon employed in the collections, under what name ſoever, immediately under the Committee of Revenue, or any Collector of the Revenue, or any Hindoo or Muſſulman woman of a rank or quality, which, according to the prejudices of the country, would make it improper to compel her to appear in an open Court of Juſtice, ſhall be defendant, it ſhall not be competent to any Judge of any Moſuſſil Dewannee Adaulut to iſſue any Tullub Chitty, or other compulſory proceſs, againſt ſuch defendant, to compel ſuch defendant to appear and make anſwer; but ſhall, in lieu thereof, iſſue a ſummons requiring ſuch defendant to appear by him or herſelf, or by his or her Vakeel, at a certain time to be named in ſuch ſummons to appear in the Moſuſſil Dewannee Adaulut and make anſwer to the complaint, and abide ſuch orders of the Court as ſhall be made in the cauſe; which ſhall be directed to the Nazir of the Court, and ſhall contain a ſhort account of the nature of the demand contained in the complaint, together with a notice, that if ſuch defendant ſhall not appear, as required by the ſummons, at the time limited therein; or having ſo appeared, ſhall not give anſwer to the complaint at ſuch time as ſhall be fixed by the Court; or make other default, the Court will proceed to hear, try and determine the cauſe as if he or ſhe had appeared, anſwered, and done ſuch things as he or ſhe might have done in defence of the ſuit. And ſuch ſummons ſhall command the Nazir to deliver a copy thereof to ſuch defendant, being any Zemindar, Talookdar, Chowdry, or other landholder, or perſon ſo employed as aforeſaid in the collection of the revenues; and if ſuch defendant be ſuch woman as aforeſaid, ſhall deliver a copy thereof to the Dewan, or ſome principal ſervant of ſuch woman, and in ſuch manner ſo ſummon ſuch defendant to appear, at the time named in the ſaid ſummons, in the Moſuſſil Dewannee Adaulut, to make anſwer to the ſaid complaints, and to abide ſuch orders as the Court may make in the cauſe; and the Nazir ſhall ſerve ſuch ſummons in the manner herein directed, and in no other manner; and ſhall not make uſe of any force or compulſion to enforce the ſame: and ſhall re-

turn, on the day appointed for the appearance of such defendant, the summons with an indorsement thereon specifying in what manner he hath executed the same, if he hath executed the same, and if he hath not, the reason why he hath not executed the same: and if such defendant shall appear, the Court shall fix a certain day, according to the discretion of the Court, for him or her to make answer to the said complaint: and the Court shall appoint such days for pleading, and the parties shall plead in such manner, and the Court shall hear, try, and determine in like manner, as in suits instituted against persons not being Zemindars, Talookdars, Chowdries, or other landholders, or persons being employed in the collections, or such woman as aforesaid: or if such summons shall have been issued, and such defendant, being a Zemindar, Talookdar, Chowdry, or other landholder, or person employed in the collection of the Revenue as aforesaid, (or the Dewan, or other principal servant of such defendant, being such woman as aforesaid,) shall abscond to avoid the service thereof, or shall not, after diligent search and inquiry, be found, so that such defendant can be summoned as is hereby directed, the Judge of the Mofussil Dewannee Adaulut, on the return of such summons and the proof of such facts by oath being made before him, shall proceed against such defendant in like manner as the Courts of the Mofussil Dewannee Adaulut are directed to proceed against a defendant who shall have absconded, or who, after diligent search, cannot be found, so that a Tullub Chitty can be served upon him. And if such defendant, on whom no summons can be served, after such notice and proclamations as aforesaid having been made, shall not appear, or appearing shall neglect or refuse to give answer, or make other default, or shall admit the truth of the complaint, the Court shall, on examining the allegations of the plaintiff only and the depositions of his witnesses, decree and give judgment in like manner as if such defendant had appeared, answered, and entered into proof.

XXXII. That it be competent to any Court of Mofussil Dewannee Adaulut, in which any suit shall be commenced, to issue Tullub Chitties, summons and other process as well to the parties and witnesses as other persons, and all orders for execution of decrees, and all other orders whatsoever, not only in and throughout the local jurisdiction of that Court in which the suit is instituted, but in and throughout the local jurisdiction of each and every the Mofussil Dewannee Adauluts heretofore and hereby established, and the officers of the Court, from which the same shall issue, are hereby authorized to serve and execute the same accordingly, without any let or hinderance from any Court of Mofussil Dewannee Adaulut, or the Judge or officers thereof, or of any other person or authority whatsoever.

XXXIII. That if any Zemindar, Talookdar, Chowdry, or other landholder, or any person, being a native and employed, under any denomination whatsoever, in the collection of the Revenue under the Committee of Revenue, or any person or persons who has or have, or hereafter may have, the general charge of the Revenues, or charge of

the Revenue in any particular diſtrict, ſhall reſiſt, or cauſe to be reſiſted, any proceſs, order, rule, or decree, which ſhall, at any time, iſſue from any Court of Moſuſſil Dewannee Adaulut, on proof thereof being made by oath to the ſatisfaction of the Judge of that Court from which ſuch proceſs, order, rule, or decree ſhall have iſſued, ſuch Court may and ſhall ſummon ſuch Zemindar, Talookdar, Chowdry, or other landholder, or perſon ſo employed in the collection of the Revenue, to anſwer to ſuch charge; and if ſuch Zemindar, Talookdar, Chowdry, or other landholder, or perſon ſo employed in the collection of the Revenue, ſhall abſcond ſo that he cannot be ſerved with ſuch ſummons, he ſhall be proceeded againſt in like manner as other perſons who abſconded ſo that they cannot be ſerved with the proceſs of the Court; and if ſuch Zemindar, Talookdar, Chowdry, or other landholder, or perſon employed in the collection of the Revenue, ſhall refuſe or neglect to make anſwer; or if, after anſwer given and the hearing of ſuch evidences as he may produce, it ſhall be proved to the ſatisfaction of the Court, that he is guilty of ſuch charge, the Court ſhall award and decree, that ſuch perſon, being a Zemindar, Talookdar, or Chowdry, or other landholder, do, from the time of the decree then made, forfeit his Zemindary, Talookdary, Chowdray, or other land, and every right and title he or his heirs may have in or to the ſame; and if ſuch offender be a perſon employed in the collection of the Revenue, may impoſe a fine on ſuch perſon not exceeding two thouſand ſicca Rupees, and cauſe the ſame to be recovered by ſuch ways and means as ſums decreed in any cauſe are directed to be recovered by: and it ſhall be lawful to ſuch Zemindar, Talookdar, Chowdry, or other landholder, and ſuch perſon concerned in the collection of the Revenue, againſt whom ſuch decree ſhall be made, if ſuch fine ſhall exceed one thouſand ſicca Rupees, to appeal to the Sudder Dewannee Adaulut within three months after ſuch decree ſhall have been made, and a copy thereof ſhall have been delivered or tendered to him; and in caſe any Zemindar, Talookdar, Chowdry, or other landholder, againſt whom ſuch decree ſhall be made in any Court of Moſuſſil Dewannee Adaulut, ſhall not appeal againſt the ſame within the time limited for appeals, then the Court, which ſhall have made ſuch decree, ſhall immediately tranſmit to the Governor General and Council a copy of the ſaid decree and of all the proceedings thereon: provided always, that ſuch Zemindar, Talookdar, Chowdry, or other landholder, ſhall not be ouſted, or expelled, from the poſſeſſion of ſuch Zemindary, Talookdary, Chowdray, or other land, except by, or in virtue of, an order from the Governor General and Council confirming ſuch decree, and ordering and directing the manner in which the ſame ſhall be carried into execution, and to whom the Zemindary, Talookdary, Chowdray, or other land, ſhall be delivered; and that it be competent to the Governor General and Council either to order ſuch decree to be executed, or to change or commute ſuch forfeiture for any ſum of money which the Governor General and Council ſhall think adequate to the offence for which ſuch decree had been given: ſo that if the Governor General and Council ſhall not, within one month after ſuch decree ſhall have been tranſmitted to them, either order the

ſaid decree to be executed, or change or commute the forfeiture for ſuch ſum of money as they ſhall deem adequate to the offence, the decree ſhall ſtand confirmed againſt ſuch Zemindar, Talookdar, Chowdry, or other landholder, for ever; and the Court ſhall order ſuch Zemindary, Talookdary, Chowdray, or other land, to be ſeized and ſequeſtered, and the poſſeſſion thereof to be delivered to an Aumeen, who ſhall be appointed by the Court to manage the ſame, and to receive the rents, iſſues and profits of the ſame, until ſuch time as the Governor General and Council ſhall direct to what perſon, other than ſuch Zemindar, Talookdar, Chowdry, or other landholder, the ſame ſhall be delivered; ſo that the ſaid Aumeen (the neceſſary deductions being made for expences, and for his trouble to be allowed by the Court,) do account for, and pay to the perſon to whom the Governor General and Council ſhall direct the Zemindary, Talookdary, Chowdray, or other land to be delivered, all rents, iſſues and profits, which ſhall have accrued during the time ſuch Zemindary, Talookdary, Chowdray, or other land, ſhall have been ſequeſtered.

XXXIV. That ſo much of the reſolutions of the twenty-eighth of March one thouſand ſeven hundred and eighty, which directs, that all cauſes, either in the Moſuſſil Dewannee Adauluts, or Sudder Dewannee Adaulut, ſhall be brought before the Court, and the proceſs conducted, in the order in which the plaints are filed, and evidence and exhibits prepared, be annulled and revoked. That the ſeveral Regiſters of the Moſuſſil Dewannee Adauluts do keep a ſeparate cauſe book, in which ſhall be entered the ſeveral cauſes for the trial of which a day ſhall have been appointed by the Court; and ſhall, on the day appointed, or as ſoon after as the buſineſs of the Court will permit, call on ſuch cauſes for trial in the order in which they ſhall have been entered; and the Court ſhall proceed to hear, try and determine the ſame as they ſhall be called, except there be ſome ſpecial reaſon to the contrary; and a paper containing a liſt of ſuch cauſes, and the days appointed for their ſeveral trials, ſhall be conſtantly affixed in ſome conſpicuous part of the room where the Court ſhall be held.

XXXV. That ſo much of the reſolutions of the late Preſident and Council of the twenty-firſt day of Auguſt one thouſand ſeven hundred and ſeventy-two, and of the Governor General and Council of the twenty-eighth of March one thouſand ſeven hundred and eighty, as directs an inveſtigation to be made by an Aumeen or Aumeens choſen by the parties, be annulled and revoked; and that in all caſes of diſputed property regarding lands, houſes, or the limits, boundaries, or landmarks of the ſame, where a local inveſtigation may be deemed proper, an Aumeen ſhall be appointed by the Court, who ſhall be ſworn to make a true and faithful report to the Court of the ſeveral matters which ſhall be given to him in charge by the Court; and that he will not take or receive from either party any gratuity or reward, other than ſuch ſum as ſhall be allowed to him by the Court, which Aumeen ſhall, at a day certain to be named by the Court, make his report to the Court in writing ſubſcribed with his name, which ſaid report ſhall be re-

ceived by the Court as evidence in the cauſe with regard to the matters which the ſaid Aumeen was commiſſioned to inveſtigate and no other. And the Court may order (ſpecial care being taken that the expences are not unneceſſarily incurred by the Aumeen, by delays or other means,) ſuch ſum to be paid to the Aumeen as may be deemed reaſonable for his pains and trouble; and that ſuch ſum be added to the coſts, and be paid by the perſon againſt whom the decree ſhall be made.

XXXVI. That in all cauſes concerning diſputed accounts, partnerſhips, debts, doubtful or conteſted bargains, nonperformance of contracts, which ſhall be inſtituted in any Moſuſſil Dewannee Adaulut, it ſhall be recommended to the parties to ſubmit the deciſion of their cauſes to arbitration, the award of which ſhall become a decree of the Moſuſſil Dewannee Adaulut; and ſo that the parties be at liberty to chooſe the arbitrators, who are to decide the cauſe without fee or reward. And the Judge is hereby directed to afford every encouragement in his power to inhabitants of character and credit to become arbitrators; but is not to employ any coercive means for that purpoſe; nor to permit any of his private ſervants, or any of the officers or miniſters of the Moſuſſil Dewannee Adaulut, (other than the Munſiffs in ſuch Courts where Munſiffs are allowed,) to be arbitrators in any cauſe; and that he do recommend, and, as far as he can without compulſion, prevail upon the parties, to ſubmit to the arbitration of one perſon to be mutually agreed upon by the parties.

XXXVII. That in all ſuits regarding ſucceſſion, inheritance, marriage and caſt, and other religious uſages, or inſtitutions, the laws of the Koran with reſpect to Mahometans, and thoſe of the Shaſter with repect to Gentoos, ſhall be invariably adhered to; and on all ſuch occaſions the Moulavies or Pundits ſhall reſpectively attend to expound the law.

XXXVIII. That no Judge of any Moſuſſil Dewannee Adaulut ſhall, upon any pretence whatſoever, cauſe to be made any report of any matters of fact relating to any cauſe depending before him, in order to the making of any decree, by any officer or officers, or any other perſon whatſoever, other than in the caſes ſpecially mentioned in theſe regulations: nevertheleſs, that it be competent to ſuch Judge to refer any queſtion ariſing on the Muſſulman or Hindoo Law to the Moulavies or Pundits of the Court, reſpect being had to the law in which each is converſant; and that a ſtatement of facts, on which the queſtion ſhall ariſe, be made out in writing, ſigned by the Judge of the Court, and be delivered to ſuch Moulavy or Moulavies, Pundit or Pundits, for his or their opinion thereon, and a blank left for the anſwer or anſwers of ſuch Moulavy or Moulavies, Pundit or Pundits, to be written, on the ſame paper on which the queſtion is ſtated, or on that and on a paper firmly annexed thereto, immediately under and following the ſame, and be ſigned by, and with the name or names of ſuch Moulavy or Moulavies, Pundit or Pundits, together with the date of the time when ſuch queſtion or queſtions was or were ſubmitted to him or them, and when ſuch anſwer or anſwers ſhall be given.

XXXIX. That if any ſuit, which, on or before the ſixth day of April one thouſand ſeven hundred and eighty-one, was properly cognizable in the Courts of Moſuſſil Dewannee Adaulut of Patna, of Dinagepore or Purnea, of Moorſhed bad, of Dacca, of Burdwan, or of Calcutta, ſhall have been inſtituted in any of the ſaid laſt mentioned Courts, and any witneſs examined, or proof made in the cauſe, before the regulations made for the adminiſtration of juſtice, and paſt in Council on that day, had been notified to ſuch Moſuſſil Dewannee Adaulut, it be competent to the Judge of the Court, in which ſuch ſuit was inſtituted, to hear, try, determine, decree, and to execute ſuch decree; but if no witneſs ſhall have been examined, or proof made in ſuch cauſe, before ſuch laſt mentioned regulations had been notified to ſuch Moſuſſil Dewannee Adaulut, that the Judge of the Court, in which the ſuit ſhall have been inſtituted, do immediately certify under the ſeal of the Court and his ſignature, and tranſmit to that Court, to which, by theſe regulations, the juriſdiction of the cauſe doth appertain, the original complaint of the plaintiff, and all the pleadings and proceedings in the cauſe, in the ſtate in which they ſhall then reſpectively be: and the Court, to which the ſame ſhall be tranſmitted, is hereby authorized and empowered to proceed in the cauſe, in like manner as he would have done if the ſame had been originally inſtituted, and the pleadings and proceedings had been had, in the laſt mentioned Court; and the complaint, pleadings, and proceedings, in the firſt, ſhall be and become the records of the Court to which they ſhall be tranſmitted; ſo that the parties ſhall not be obliged to preſent any new complaint, or to plead de novo, or to pay any new depoſite; and that the depoſite paid at the commencement of the cauſe, do remain in the Court in which the ſuit was firſt inſtituted, and be tranſmitted to the Sudder Dewannee Adaulut, together with the other depoſites, as is herein after directed.

XL. That no award of any arbitrator, or arbitrators, be ſet aſide by any Moſuſſil Dewannee Adaulut, except on full proof made by oath of two credible witneſſes, that the arbitrators had been guilty of groſs corruption, or partiality, in the cauſe in which they had made their award.

XLI. That if any perſon ſhall be guilty of any contempt to the Court, in open Court, the Court may immediately puniſh ſuch perſon, either by impoſing ſome fine, not exceeding one hundred Rupees, and by committing ſuch perſon until ſuch fine ſhall be paid; (reſpect being had to the rank and ſituation of ſuch perſon;) or by impriſoning ſuch perſon for any ſpace of time, not exceeding one month.

XLII. That if any witneſs, or other perſon, ſhall be guilty of wilful and corrupt perjury in any cauſe or matter depending in Court, the Court may immediately commit ſuch perſon to cloſe cuſtody, and ſhall, with all convenient ſpeed, ſend him to the Court of Phouzdarry Adaulut of the diviſion in which the offence ſhall be committed, together with the evidences which are neceſſary for his conviction, and a written charge ſigned by the Judge of the Court, to be proceeded againſt according to law.

XLIII. That where any perſon ſhall have commenced a ſuit in any Moſuſſil Dewannee Adaulut, and ſhall, pending that ſuit, or after any decree made therein, commence another ſuit in any other Court of Moſuſſil Dewannee Adaulut for the ſame cauſe; or if any perſon ſhall commence any ſuit in any Moſuſſil Dewannee Adaulut, which ſhall appear to the Judge thereof to be frivolous, vexatious, or totally groundleſs, the ſuit ſhall not only be diſmiſſed with ſuch coſts as the Court may think proper to award, but ſuch plaintiff may be committed to cloſe cuſtody for a time not exceeding one month; or may be ordered to receive corporal puniſhment, not exceeding twenty laſhes, with a rattan, according to the degree of the offence, and the perſon's ſtation in life.

XLIV. That no Chout-duſſuttra, Puchuttra, or any other fee or commiſſion on the account of money recovered, or Etlak on the deciſion of cauſes, nor any other fine whatſoever, except ſuch as are allowed by theſe regulations, be received on any pretence whatſoever; and that a depoſite ſhall be taken on every plaint filed at the commencement of a cauſe, in the proportion of the ſums or value ſued for in the bill of plaint; the rates of the ſaid depoſite to be as follows:

On all ſums not exceeding	1000	Rupees,	- - - -	5 per Cent.
On do.	do.	5000	Rs. - - - - -	4 do.
On do.	do.	10,000	Rs. - - - - -	3 do.
And on all ſums above		10,000	Rs. - - - - -	2 do.

That where the ſuit is for property in lands, the lands ſhall be eſtimated according to the annual produce or Jumma: that is to ſay, Lakarage lands at ten times the amount of their annual produce, and Malguzary lands at the amount of one year's Jumma, or revenue payable to Government: and the depoſite, taken on filing the plaint, ſhall be calculated accordingly; and that ſuch depoſite ſhall be paid by the plaintiff at the time of filing his bill of plaint; but if the decree be made againſt the defendant, and the whole of that which is demanded by the complaint be decreed to the plaintiff, a ſum equal to the depoſite ſhall be decreed to the plaintiff, added to the coſts which ſhall be awarded to the plaintiff; but if part only thereof be decreed to the plaintiff, a ſum bearing the ſame proportion to the annual produce, if that part be Lakarage land; to the annual Jumma, or revenue to Government, if that part be Malguzary land; and if that part be money, or ſome ſpecific thing, to the money, or value of the thing decreed; as the depoſite did to the demand laid in the complaint, ſhall be decreed and ſhall be added to the coſts which ſhall be awarded to the plaintiff: and ſuch ſum, ſo added in every cauſe, ſhall be recovered againſt the defendant, in the like manner as all other monies, which ſhall be decreed, are hereby ordered to be recovered.

XLV. That at the commencement of any ſuit in any Moſuſſil Dewannee Adaulut, if it ſhall be proved, to the ſatisfaction of the Judge of the Court in which the ſuit ſhall be commenced, by the oath of the plaintiff, and of two credible witneſſes that they be-

lieve ſuch oath to be true, that the plaintiff is, after all his juſt debts paid, not worth more than the ſum of one hundred ſicca Rupees, excluſive of the value of the depoſite by theſe regulations required to be made, it ſhall be competent for the Judge of the Court, in which the ſuit ſhall be inſtituted, in lieu thereof to accept either a Malzaminy to the amount of ſuch depoſite, and of ſuch coſts and fees as the Court ſhall think likely to be incurred, or Hazerzaminy, to be reſpectively entered into by the plaintiff and two good and ſufficient ſecurities according to the diſcretion of ſuch Judge. That where a Malzaminy ſhall have been given, the Judge ſhall, if the ſuit be determined againſt the plaintiff, cauſe the amount of the depoſite, of the fees, and of coſts, to be paid to the Regiſter of the Court; and where a Hazerzaminy ſhall have been given, and the plaintiff ſhall have failed in his ſuit, the Judge, if he ſhall deem the ſuit frivolous or vexatious, and the plaintiff ſhall not pay the amount of the depoſite, and of the fees and coſts, ſhall, and is hereby authorized to, commit ſuch plaintiff to cloſe cuſtody for any ſpace of time not exceeding three months; and if the ſaid two ſecurities ſhall not produce ſuch plaintiff, ſo that he may be proceeded againſt as aforeſaid, if ſuch ſecurities ſhall not cauſe ſuch depoſite, fees, and coſts to be paid, the Court ſhall, and is hereby authorized to, commit ſuch ſecurities to the common goal for any ſpace of time not exceeding three months: and ſuch defendant, who ſhall have been ſo committed, ſhall, after he has been confined accordingly, be diſcharged and exonerated from the payment of coſts, in like manner as if the decree awarding the ſame had been fully ſatisfied by payment thereof; and if, in ſuch caſe, the decree be for the plaintiff, ſuch ſum ſhall be added to the coſts as is required to be added where the depoſite is paid at the commencement of the ſuit; and the plaintiff ſhall, at the time the decree ſhall be carried into execution, pay ſuch ſum, ſo added, into Court, to be accounted for in like manner as depoſites are hereby ordered to be accounted for.

XLVI. That no complaint be received from any other perſon than the plaintiff in the cauſe, nor any anſwer from any other perſon than the defendant; except ſuch perſon ſhall produce, and cauſe to be filed of record, a Vakallutnamah, or written authority, ſigned by the party for whom he appears, and ſealed with his ſeal in the preſence of two witneſſes, conſtituting him Vakeel of ſuch party in the cauſe; and if he be on the part of the plaintiff, authoriſing him to commence the ſuit; and if for the defendant, to defend; and unleſs the party executing the ſame ſhall thereby undertake to abide by, and confirm, all ſuch acts, matters, and things which his Vakeel, ſo conſtituted, ſhall do, or undertake in his behalf, in the cauſe, as if he himſelf had been perſonally preſent and conſenting; and no act whatſoever ſhall be done or admitted, nor any perſon heard viva voce in any ſtage of the cauſe, except the plaintiff, or defendant, or the perſon by them reſpectively in like manner authorized, nor until his Vakallutnamah ſhall have been filed of record.

XLVII. That every complaint, which ſhall be preſented to any Court of Mofuſſil Dewannee Adaulut, ſhall ſtate the matter of complaint, and if the ſame be concerning any

Zemindary, Talookdary, Chowdray, land, or houſe, being Lakarage, ſhall ſtate the annual produce thereof; and if the Zemindary, Talookdary, Chowdray, land, or houſe, be Malguzary, the Jumma or annual revenue to Government; and if ſuch complaint be concerning any money or valuable thing, or concerning marriage or caſt, then the ſum of money or the value of the thing demanded, or the ſum in which the plaintiff is damnified, together with the name of the perſon complained againſt, and the time when the cauſe of action accrued. And ſuch complaint ſhall be ſigned by the complainant, or his Vakeel authorized as before directed, and ſhall be likewiſe ſigned, and numbered, and dated in the order in which the ſame was received by the Judge of the Court, and ſhall be regiſtered in a book by a Mohrir, or officer of the Court, whoſe particular duty it ſhall be to copy and regiſter ſuch complaint; and ſuch complaint ſhall, on no account whatſoever, be delivered to any other perſon but ſuch officer; and that every complaint, anſwer, replication, or rejoinder be in the Perſian or Bengal language and no other.

XLVIII. That every Tullub Chitty, ſummons, or other proceſs, and every order whatſoever of the Court, to be ſerved or executed on any perſon whatſoever, be written or printed in the Perſian and Bengal languages, ſealed with the ſeal of the Court, and ſigned by the Judge thereof.

XLIX. That if any written evidence be offered to any Mofuſſil Dewannee Adaulut, in any cauſe depending therein, if the Court ſhall in their judgment think fit to reject the ſame, the Judge, ſo rejecting ſuch evidence, ſhall indorſe on the back thereof the word rejected, together with the name of the cauſe and of the party who offered to produce the ſame, and the date of the time when the ſame ſhall be rejected: and ſhall enter a memorandum on the ſame, or on a paper thereto to be annexed, of his reaſon for not admitting the ſame in evidence with his name ſubſcribed thereto; and ſhall return the ſame, ſo indorſed, and with ſuch memorandum, to the perſon who offered to produce the ſame in evidence.

L. That the Judge, in every Mofuſſil Dewannee Adaulut, do in every decree recite the names of the witneſſes, on whoſe depoſitions, and the title of every exhibit read in ſuch cauſe reſpectively, on which, the decree of the Court ſhall be founded; and ſuch decree ſhall be ſealed with the ſeal of the Court, and ſigned by the Judge thereof in his proper hand-writing, and dated on the day on which the ſame ſhall have been paſſed: And the ſaid Judge, or the Regiſter, either at the time of making the decree, or on a day of which the Court ſhall give notice to the parties or their Vakeels, ſhall, in open Court, deliver or tender to each party or their Vakeels, or ſuch of them as ſhall attend, a true copy of ſuch decree authenticated by the ſeal of the Court, and ſigned by the Judge thereof, with an indorſement thereon, made by the Regiſter, of the date when ſuch copies where delivered; and an entry of ſuch delivery or tender, with the date on which the ſame was made, ſhall be made by the Regiſter on the margin of the record oppoſite to the decree.

LI. That ſo much of the General regulations of the late Preſident and Council of the twenty firſt day of Auguſt, one thouſand ſeven hundred and ſeventy-two, and of the reſolutions of the Governor General and Council of the twenty-eighth of March one thouſand ſeven hundred and eighty, or of the Sudder Dewannee Adaulut, which require the record or proceeding of the Moſuſſil Dewannee Adaulut to be kept in any other than the form following, be annulled and revoked; that in every Moſuſſil Dewannee Adaulut a book be kept, in which the daily proceedings of each cauſe, and every order and act of the Court, ſhall be minuted in the Perſian language, and each day ſigned by the Judge of the Court; that the ſeveral complaints, anſwers, replications and rejoinders of the parties, and every depoſition, exhibit, and paper whatſoever, read and filed in the cauſe, be referred to in ſuch minutes by marks or numbers, correſponding to marks or numbers, which the Judge ſhall cauſe to be indorſed on the ſame, when the ſame are read in the cauſe: that compleat records numbered in the order, in which the cauſes ſhall be tried, be kept in the Moſuſſil Dewannee Adaulut in the following form; that at the concluſion of every cauſe, the petition, anſwer, reply and rejoinder, and other pleadings and allegations, acts and defaults of the parties, depoſitions of witneſſes, exhibits and all other evidence, all orders of Court and returns thereto in the order in which they were made, the decree or judgment, the order for the execution thereof, and the return made ſpecifying how the ſame hath been executed, and all proceedings whatſoever, ſhall be written on a roll of ſtrong paper, in the language in which the petition, anſwer, other pleadings, depoſitions, or exhibits, ſhall originally and reſpectively have been made; ſo that every order and act of the Court be uniformly entered in the Perſian language; and if the depoſitions or exhibits be in the Engliſh, or in any other than the Perſian or Bengal language, that ſuch depoſitions or exhibits be entered in the language in which they were made or written, together with faithful tranſlations of the ſame into the Perſian language: and ſuch record ſhall be authenticated by the ſeal of the Court and the ſignature of the Judge, and be counter-ſigned by the Perſian Moonſhee or Perſian Serriſhtadar, and be kept in this form by the Regiſter of the Court among the muniments of the Court; and ſhall be and remain a record of the Court: and any copy thereof authenticated by the ſeal of the Court and ſignature of the Judge, and counter-ſigned by the Perſian Moonſhee or Serriſhtadar ſhall be deemed and received as good evidence of ſuch record in any Court of Moſuſſil Dewannee Adaulut.

LII. That ſo much of the General Regulations of the twenty-firſt of Auguſt one thouſand ſeven hundred and ſeventy-two, as require an abſtract regiſter to be tranſmitted twice a month from the Moſuſſil Dewannee Adauluts to the Sudder Dewannee Adaulut, be revoked and annulled; and that each Judge ſhall cauſe to be kept an abſtract regiſter in the Engliſh language, a ſummary account of his daily proceedings in each cauſe, containing the names of the plaintiff and defendant, the ſubſtance of the cauſe, and of the decree made therein, the date when the complaint was filed and when the decree was paſſed, and ſhall tranſmit the ſame monthly to the Sudder Dewannee Adaulut.

LIII. That ſo much of the General Regulations of the twenty-firſt day of Auguſt one thouſand ſeven hundred and ſeventy-two, as directs, that the decree of the Provincial Dewannee Adaaluts, on all cauſes for ſums not exceeding five hundred Rupees, ſhall be final, and that for all above that ſum an appeal ſhall be to the Sudder Dewannee Adaalut; and ſo much of the Regulation for the Sudder Dewannee Adaalut, and of the Regulations of the twenty-eighth of March one thouſand ſeven-hundred and eighty, as require that petitions ſhall be recorded in the Moſuſſil Dewannee Adaalut within ten days after the date of the decree, and in the Sudder Dewannee Adaalut within two months; and that the decree of the Moſuſſil Dewannee Adaalut ſhall, notwithſtanding the appeal, be carried into execution, unleſs the appeal be delivered into Court the ſame day on which the decree was paſſed; and that empowers the Chiefs of the Provincial Councils to receive appeals, be revoked and annulled; and that the decree of the Moſuſſil Dewannee Adaalut ſhall be final in all cauſes where the decree is, or ſhall be, for any Zemindary, Talookdary, Chowdray, other land, or houſe, being Lakarage, the annual produce whereof ſhall not exceed the ſum of one hundred Sicca Rupees; and where the decree is, or ſhall be, for any Zemindary, Talookdary, Chowdray, houſe or land being Malguzary, if the Jumma or annual revenue to Government doth not exceed one thouſand Sicca Rupees: and in all other caſes where the decree is, or ſhall be, for any ſum of money, or other thing, the value of which ſhall not exceed the ſum of one thouſand Sicca Rupees: and where any Zemindary, Talookdary, Chowdray, land, or houſe, being Lakarage, ſhall be decreed, the annual produce of which ſhall exceed one hundred Sicca Rupees; or being Malguzary, of which the annual revenue payable to Government ſhall exceed one thouſand Sicca Rupees; and where, in all other caſes, the ſum of money, or the value of any other thing, decreed ſhall exceed, the ſum of one thouſand Sicca Rupees, any perſon who ſhall find himſelf aggrieved thereby, or againſt whom, or to whoſe immediate prejudice, the decree ſhall be, or tend, may appeal there-from to the Sudder Dewannee Adaalut by petition of appeal ſtating the cauſes of appeal, ſo that every ſuch petition againſt any decree made in any Moſuſſil Dewannee Adaalut be preſented to the Moſuſſil Dewannee Adaalut, or Sudder Dewannee Adaalut, within three Kalendar months after the day on which the decree was made: Provided nevertheleſs, ſuch perſon may prefer his petition of appeal to the Sudder Dewannee Adaalut after ſuch three months, if he can ſhew juſt and reaſonable cauſe to the ſatisfaction of the Court of Sudder Dewannee Adaalut, for not having preferred the ſame within the ſaid three months: and if the petition of appeal be againſt any decree whereby the right of poſſeſſion of any Zemindary, Talookdary, Chowdray, houſe or land, ſhall be decreed to the plaintiff, all proceedings ſhall immediately be ſtayed, and no execution had, or poſſeſſion given under the decree appealed againſt, until the ſaid appeal ſhall have been finally determined in the Sudder Dewannee Adaalut, if the party againſt whom the decree is given will enter into good and ſufficient ſecurity, in a ſum equal to one year's value of the rents, iſſues, and profits of the Zemindary

Talookdary, Chowdray, or other land or houſe, which ſhall have been decreed, to abide, and perform, ſuch order as ſhall be made in the Sudder Dewannee Adaulut; but if ſuch party ſhall neglect or refuſe to enter into ſuch ſecurity, on or before the Court day next after ſuch appeal ſhall be preferred, then the Mofuſſil Dewannee Adaulut ſhall order execution to be had, and poſſeſſion to be delivered, according to the decree: and in all other caſes the Mofuſſil Dewannee Adaulut may either order the decree to be carried into execution, or that ſufficient ſecurity be given by the party againſt whom the decree ſhall be made, in a ſum equal to the ſum of money, or the value of the thing decreed, for the performance of the decree; and if the Mofuſſil Dewannee Adaulut ſhall order the decree to be executed, ſecurity ſhall be taken from the party, in whoſe favor the decree is made, in a ſum equal to the ſum of money, or value of the thing decreed, for the due performance of ſuch order, or decree as ſhall be made in the Sudder Dewannee Adaulut: and in all caſes the party appealing ſhall give full, and ſufficient ſecurity in a ſum, not exceeding five hundred Rupees, for the payment of all ſuch coſts and for the performance of ſuch order or decree, as the Sudder Dewannee Adaulut may think proper to award, or make thereupon; and in every caſe, where any petition of appeal ſhall be preſented in any Mofuſſil Dewannee Adaulut againſt any decree given in ſuch Court, and ſuch ſecurities, as are hereby required, ſhall have been entered into, the Judge of ſuch Mofuſſil Dewannee Adaulut ſhall immediately indorſe on ſuch petition, in his own handwriting, the day of the month and year on which it was preſented, and ſign the ſame with his name; and ſhall likewiſe cauſe to be wrote in the margin of the record immediately oppoſite to the decree of the Court the word appealed; and ſhall not, hence forward, exact or receive any depoſite on account of ſuch appeal, but ſhall receive every petition of appeal without requiring any depoſite, and tranſmit the ſame to the Sudder Dewannee Adaulut in like manner as if ſuch depoſite had been made; and the Judge ſhall cauſe notice in writing to be given to the appellant, that he will, within ten days, certify to the Judge of the Sudder Dewannee Adaulut the ſeveral proceedings had in the cauſe appealed, and that if the appellant ſhall not proceed in his appeal within ſix weeks after the ſame ſhall have been received by, and filed in, the Sudder Dewannee Adaulut, his appeal will be diſmiſſed, unleſs he the appellant ſhall ſhew reaſonable cauſe to the ſatisfaction of the Sudder Dewannee Adaulut for not proceeding therein.

LIV. That ſo much of the rule made in the Sudder Dewannee Adaulut on the twenty-fifth day of May one thouſand ſeven hundred and eighty-one, which requires the Judges of the Mofuſſil Dewannee Adaulut to tranſmit or certify any other record or proceeding of the Mofuſſil Dewannee Adaulut, in caſe of appeal to the Sudder Dewannee Adaulut, other than thoſe herein after ſpecified, be annulled and revoked; and that the Judge of ſuch Mofuſſil Dewannee Adaulut ſhall, within fifteen days next after the receipt of ſuch appeal, certify under his hand and ſeal of his Court, to the Judge of the Sudder Dewannee Adaulut, the record ſo made up and authenti-

cated as aforeſaid, together with the original complaint, anſwer, replication and rejoinder of the parties, and the original depoſitions, exhibits, and every original paper read in the cauſe, and ſhall, before he ſhall tranſmit the ſame to the Sudder Dewannee Adaulut, cauſe true and faithful copies of all ſuch originals, authenticated by the ſignature of the Seriſhtadar, or head Moonſhee, to be made out and depoſited in the Moſuſſil Dewannee Adaulut, in lieu of the originals, which ſaid copies ſhall be, and ſhall be eſteemed, records of the Court, and ſhall be received in evidence in any other Court of Moſuſſil Dewannee Adaulut; but in caſes where any original depoſition, or other original proceeding, or matter whatſoever, ſhall have heretofore, in any Moſuſſil Dewannee Adaulut, been entered in any book or books, which do likewiſe contain either proceedings in divers and diſtinct cauſes, or any other matter, ſo that ſuch originals cannot be tranſmitted to the Sudder Dewannee Adaulut without ſuch other proceedings or matters, the Judge of the Moſuſſil Dewannee Adaulut ſhall, within the time and in like manner as is before directed, certify a true and authentic copy of ſuch originals ſo entered in ſuch book or books, and that the original of each copy, ſo tranſmitted, is ſo entered in ſuch book or books as aforeſaid, ſo that he do, nevertheleſs, tranſmit the original complaint, the original anſwers, or other ſeparate pleadings of the parties, and the original exhibits which ſhall have ſeverally been delivered in, or produced, by the parties, and read in the courſe of the cauſe before the Moſuſſil Dewannee Adaulut, if the ſame be forth-coming, in like manner as is herein before required; and in caſes where any original ſhall have been miſlaid or loſt, and a copy thereof ſhall have been entered in any books of proceedings, ſuch copy ſhall be deemed the original, and the Judge ſhall tranſmit a copy thereof to the Sudder Dewannee Adaulut, and ſhall, in like manner, certify the ſame, and that the original after due ſearch cannot be found, and alſo in like manner, when any appeal ſhall be received, tranſmit and certify to the ſaid Judge of the Sudder Dewannee Adaulut a true and faithful tranſlate, into the Engliſh language, of the record, pleadings, depoſitions and exhibits, and of all other papers, matters and things, which he is hereby required to tranſmit, in caſes of appeal, to the Sudder Dewannee Adaulut.

LV. That where any proceſs, either to a party or witneſs, and all proceſs whatſoever, and all rules and orders for the execution of any decree, or final order; or any order whatſoever relating to any cauſe depending in the Sudder Dewannee Adaulut, which ſhall be directed to the Judge of any Moſuſſil Dewannee Adaulut, the Judge, to whom the ſame ſhall be directed, ſhall execute the orders contained in ſuch proceſs, rule, or order, and return the ſame, ſo executed, within the time limited, or return to the Sudder Dewannee Adaulut good and ſufficient reaſon why the ſame hath not been ſerved or executed. The Judges of the ſeveral Moſuſſil Dewannee Adauluts ſhall obey all ſuch rules and orders of the Sudder Dewannee Adaulut, reſpecting any ſuch appeal, cauſe, matter or thing, depending in the Sudder Dewannee Adaulut, as ſhall be certified to them reſpectively under the ſeal of the Sudder Dewannee Adaulut, witneſſed by the Judge, and ſigned by the Regiſter thereof;

and in caſe of any proceſs, rule, decree, order for execution of any decree, or final order, or any other order whatſoever, tranſmitted to any Judge of any Moſuſſil Dewannee Adaulut from the Sudder Dewannee Adaulut to be ſerved or executed, the return to ſuch proceſs, rule, order, or decree, ſhall be made by the Judge of the Moſuſſil Dewannee Adaulut, either by indorſement on ſuch proceſs, rule, order, or decree, or be written on a paper or papers firmly annexed to the ſame; and that in ſuch caſe there be an indorſement on ſuch proceſs, rule, order, or decree, referring the Judge of the Sudder Dewannee Adaulut to the return contained in ſuch annexed paper or papers; and that the Judge of the Moſuſſil Dewannee Adaulut do cauſe a copy of ſuch proceſs, rule, order, or decree, together with the return made thereto, to be made out and depoſited among the records of the Moſuſſil Dewannee Adaulut: and in all caſes where the Sudder Dewannee Adaulut ſhall tranſmit any order or proceſs, to be ſerved or executed by the Judge of any Moſuſſil Dewannee Adaulut againſt any party in a cauſe, if the party on whom the ſame is to be ſerved or executed ſhall have abſconded, or is not, after diligent ſearch, to be found, the Judge, to whom the ſame is directed, ſhall cauſe a writing in the Perſian and Bengal languages to be ſtuck up in ſome conſpicuous part of the room in which the Adaulut ſhall be held, which writing ſhall contain a copy of the order or proceſs, and a notice that if the party ſhall not obey the exigence thereof within the time limited thereby, the Court of Sudder Dewannee Adaulut will, without further notice, proceſs, or order, proceed, ex parte, to hear, try and determine the cauſe in which ſuch proceſs or order had iſſued; and ſhall cauſe proclamations, by beat of Dowl, to be made in the village where ſuch party reſided, as are heretofore required to be made in caſes of perſons who cannot be ſerved with the proceſs of the Courts of Moſuſſil Dewannee Adaulut; and ſhall return to the Sudder Dewannee Adaulut, in the manner before directed, how he hath executed the ſame.

LVI. That ſo much of the reſolutions of the twenty-eighth of March one thouſand ſeven hundred and eighty as directs, that all ſums received for commiſſion or fees ſhall be reſerved and appropriated by the Superintendant to defray the charges of the Court, and which requires him to deliver, monthly, to the Governor General and Council a particular account of the receipts and expenditures, be annulled and revoked; and that the Judges of the Moſuſſil Dewannee Adauluts be allowed to deduct ten per cent. from the depoſites which ſhall be paid into their reſpective Courts ſince the ſixth day of April one thouſand ſeven hundred and eighty-one, and apply the ſame to their own uſe: and that the Judge of every Court of Moſuſſil Dewannee Adaulut do keep a faithful account of the depoſites paid at the commencement of each cauſe, and of all fines impoſed by the Court, and do tranſmit to the Judge of the Sudder Dewannee Adaulut, at the expiration of three months, to be calculated from the firſt day of April one thouſand ſeven hundred and eighty-one, a true and authentic copy of ſuch account, ſigned with his own proper hand, together with the monies ariſing from ſuch depoſites and fines, ſuch deduction being firſt made as is herein before authorized.

LVII. That the reſpective Judges of the Moſuſſil Dewannee Adauluts of Patna, Moorſhedabad, Rajepore, Burdwan, Dacca, and Calcutta do, on or before the firſt day of September next (if they ſhall not before that time have tranſmitted the ſame) tranſmit to the Judge of the Sudder Dewannee Adaulut a true account of the depoſites and fines received in their reſpective Courts by themſelves or their predeceſſors, from the firſt inſtitution of ſuch Courts until the firſt day of April one thouſand ſeven hundred and eighty-one, whether ſuch depoſites have been paid at the commencement of cauſes, or in conſequence of appeals, together with the monies ariſing from ſuch depoſites and fines; or an account in writing, ſigned by each Judge reſpectively, ſhewing how the ſame hath been applied.

LVIII. That every Judge of every Moſuſſil Dewannee Adaulut do uſe his utmoſt care and attention to prevent the influence of his private ſervants in any cauſe depending, or intended to be brought on before his Court, and to prevent them from having any connection with the parties.

LIX. That any ſervant or dependant of the Judge of any Moſuſſil Dewannee Adaulut who ſhall receive any money, or other valuable conſideration, on any pretence whatſoever, directly or indirectly, from any party in any ſuit depending in any Moſuſſil Dewannee Adaulut, ſhall be committed as for a contempt of the Court, and ſhall be puniſhed by a fine equal to treble the ſum of money received, or by impriſonment, or by corporal puniſhment, at the diſcretion of the Judge of the Court in which the offence ſhall have been committed; or of the Judge of the Sudder Dewannee Adaulut, on a complaint being preferred to the Court of Sudder Dewannee Adaulut: and the Judge of the Moſuſſil Dewannee Adaulut, in which ſuch offence ſhall be committed, is hereby required and enjoined to diſcharge ſuch ſervant and never thereafter to employ him, directly or indirectly, in any of his buſineſs, whether public or private.

LX. That in all caſes, within the juriſdiction of the Moſuſſil Dewannee Adaulut, for which no ſpecific directions are hereby given, the reſpective Judges thereof do act according to juſtice, equity and good conſcience.

LXI. That the Judges of the reſpective Moſuſſil Dewannee Adauluts be hereby ſtrictly enjoined and commanded, in every act, matter or thing by them to be done, ſtrictly to adhere to theſe rules and regulations, and to all other rules of practice and ſtanding orders for the adminiſtration of juſtice which ſhall hereafter be tranſmitted to them from the Sudder Dewannee Adaulut, under the ſeal of the ſaid Court, witneſſed by the Judge thereof, and ſigned by the Regiſter thereof.

LXII That the ſeveral forms for precedents, which ſhall be tranſmitted by the Judge of the Sudder Dewannee Adaulut to the Moſuſſil Dewannee Adauluts, ſhall, as near as may be, (reſpect being had to the matter to which they are applicable,) be uſed in the proceedings of the ſeveral Courts of Moſuſſil Dewannee Adaulut.

LXIII. That ſo much of the reſolutions of the late Preſident and Council of the twenty firſt day of Auguſt one thouſand ſeven hundred and ſeventy-two, and all other reſolutions of any Preſident and Council, or ſelect committee, or of the Governor General and Council, which direct that the Preſident and Members, or any Member or Members of the Council, or the Governor General and Members, or any Member or Members of the Council, ſhall preſide in the Sudder Dewannee Adaulut, be annulled and revoked; and that there be and remain a Court to be called the Court of Sudder Dewannee Adaulut, to be holden before one principal Judge, to be, and to be called, the Judge of the Sudder Dewannee Adaulut, who has been, or who ſhall, as vacancies may happen, be, from time to time, appointed by the Governor General and Council; and ſhall take, in the moſt ſolemn manner, before the Governor General and Council, or the Governor General, the following oath; that is to ſay, *that he will, to the beſt of his knowledge, ſkill, and judgment, duly and juſtly execute the office of Judge of the Sudder Dewannee Adaulut, and impartially adminiſter juſtice in every cauſe, matter, or thing which ſhall come before him.*

LXIV. That the Judge of the Sudder Dewannee Adaulut may remove any officer or officers of the ſaid Court, and may, from time to time, when any vacancy ſhall happen, appoint any other perſon, duly qualified, to the office which ſhall have become vacant, ſo that, in caſe of a vacancy of the office of Regiſter to the ſaid Court, no appointment be made thereto without the conſent and approbation of the Governor General and Council: Nevertheleſs, that the Nazir of the Court be authorized to appoint his own Naib, the Peons of the Court, and the Mirdah of the goal, and that the Judge of the Court may take ſuch Mochulka from the Nazir, and other native officers of the Court, as any Judge of Moſuſſil Dewannee Adaulut is authorized to take from any Nazir, or other native officer, of any Moſuſſil Dewannee Adaulut.

LXV. That the Regiſter and his two aſſiſtants, the Perſian and Bengal tranſlators, Pundits, Moulavies, Mounſhees and Mohrirs ſhall, before the Judge of the Sudder Dewannee Adaulut, reſpectively, take the ſame oaths, and ſubſcribe the ſame declarations, as are required to be taken and ſubſcribed by officers of the Moſuſſil Dewannee Adauluts.

LXVI. That the Sudder Dewannee Adaulut ſhall have and uſe a ſeal, on which ſhall be cut, in the Perſian characters مهر صدر دیوانی عدالت Mohur Sudder Dewannee Adaulut.

LXVII. The Sudder Dewannee Adaulut is hereby authorized and empowered to frame ſuch rules of practice, and ſtanding orders for the adminiſtration of juſtice, as well in the ſaid Sudder Dewannee Adaulut, as in the Provincial Dewannee Adauluts; and to reviſe, approve, alter, or diſapprove all rules of practice and ſtanding orders, which may, from time to time, be framed by any Moſuſſil Dewannee Adaulut, and tranſmitted to the Sudder Dewannee Adaulut under the ſeal of the Court, and ſignature of the Judge of the Court who ſhall have framed the ſame; ſo that ſuch rules and ſtanding orders framed in the Sudder Dewannee Adaulut, and ſuch rules framed in the Moſuſſil Dewannee Adaulut,

together with the approbation, alteration, or disapprobation of the Sudder Dewannee Adaulut be transmitted to the Governor General and Council under the seal of the Sudder Dewannee Adaulut, for their final approbation, alteration, or controul.

LXVIII That a copy of these rules and regulations be forthwith transmitted to the Sudder Dewannee Adaulut; that on receipt thereof in the said Court the Register thereof do mark the same with the day of the month and year in which it shall be received, and do file the same of record; and that every original standing rule and order for the administration of justice, which shall be made by the Governor General and Council, be in like manner filed and marked; and that the Register of the said Court do keep one book, in which shall be entered a copy of these rules and regulations, and of such standing rules and orders which may hereafter be made by the Governor General and Council, or the Sudder Dewannee Adaulut with the consent and approbation of the Governor General and Council, for the administration of justice in the Sudder Dewannee Adaulut, and another book in which shall be entered all such standing rules and orders which shall be made as aforesaid for the administraton of justice in the Mofussil Dewannee Adauluts, together with the dates when the same were made or approved by the Governor General and Council, and respectively received by the Sudder Dewannee Adaulut; which said entries shall severally be authenticated by the signature of the Judge, and shall be and remain of record in the Sudder Dewannee Adaulut: And that the Register of the Sudder Dewannee Adaulut do, from time to time, make out and prepare a copy of all such standing rules and orders, which in any way concern the administration of justice in the Mofussil Dewannee Adauluts, under the seal of the Sudder Dewannee Adaulut, witnessed by the Judge thereof, and signed by the Register thereof; and shall, within seven days after they shall be respectively received from the Governor General and Council by the Sudder Dewannee Adaulut, transmit one of the said copies to each Mofussil Dewannee Adaulut.

LXIX. That, whereas a table of fees has been framed by the Judge of the Sudder Dewannee Adaulut, and approved by the Governor General and Council, the said Judge do, within one week after he shall have received these rules and regulations, cause one copy of such table of fees, in the English language, and a faithful translation thereof in the Persian and Bengal languages, written in a legible hand, to be affixed in some conspicuous place in the room where the Sudder Dewannee Adaulut shall be held, if such copy and translates shall not have been already so affixed. That the several clerks and officers, to whom any fee is given and allowed by the said table, may respectively demand and receive the same, but that no officer, or any other persons concerned in the administration of justice in the Sudder Dewannee Adaulut, do demand or accept any fee or fees, sum or sums of money, reward or gratuity, other than the fees authorized by such table. If the Judge thereof receive any money, the like penalties, forfeitures and judgments to be recovered and given, in like manner in the Sudder Dewannee Adaulut, as against officers or clerks, or other persons concerned in in the administration of justice, in any Mofussil Dewannee Adaulut, who shall in like manner offend in this behalf.

LXX. That the Court of Sudder Dewannee Adaulut be held in a large and convenient room within the limits of the town of Calcutta, as herein before deſcribed, and do ſit, de die in diem, as the diſpatch of buſineſs may require; and that the Judge of the Sudder Dewannee Adaulut be authorized to make ſuch reaſonable adjournments as, conſiſtently with the buſineſs thereof, he may think fit; and in caſe of his abſence, through illneſs, that the Regiſter do make ſuch adjournments as he ſhall direct.

LXXI That no rule, order, proceeding, or decree be made, but on court days, and in open Court.

LXXII That it be competent to the Sudder Dewannee Adaulut to hear, try, and determine any Arzee or petition, cauſe of action or ſuit, or matter of complaint, or any matter whatſoever, ſo that the ſame be of a civil nature, which ſhall be, for that purpoſe, tranſmitted to the ſaid Court by the Governor General and Council; to make ſuch decree in the ſame as juſtice may require; and to order ſuch decree to be executed in like manner as the decrees of the Courts of Moſuſſil Dewannee Adaulut are directed to be executed.

LXXIII. That it be competent to the Sudder Dewannee Adaulut to receive any original complaint whatſoever, where the cauſe of action ſhall be cognizable in any Moſuſſil Dewannee Adaulut, where ſuch Court ſhall have refuſed or neglected to entertain or receive the ſame, or to proceed therein; and to refer the ſame to the provincial Dewannee Adaulut to whoſe juriſdiction the ſame ſhall appear to belong; and to order and command the Judge of the ſaid Court to entertain or receive the ſame, or to proceed in, hear, try, and determine, the ſame: Provided nevertheleſs, that if the plaintiff in ſuch cauſe ſhall not have paid ſuch depoſite as is herein required, or have entered into ſuch ſecurity as is herein required to be entered into by perſons too poor to pay the ſame, no proceedings ſhall be had in ſuch cauſe in the Moſuſſil Dewannee Adaulut, to which ſuch order ſhall iſſue, until ſuch plaintiff ſhall have paid ſuch depoſite, or have entered into ſuch ſecurity; and if ſuch plaintiff ſhall neglect or refuſe, for the ſpace of ſix weeks after ſuch order ſhall have been notified to the Moſuſſil Dewannee Adaulut to pay ſuch depoſite, or enter into ſuch ſecurity, the Moſuſſil Dewannee Adaulut may diſmiſs the ſuit, the ſaid order of the Sudder Dewannee Adaulut notwithſtanding; in which caſe the Judge of the Moſuſſil Dewannee Adaulut ſhall, within one week after ſuch diſmiſſion, certify to the Judge of the Sudder Dewannee Adaulut, under his hand and the ſeal of the Court, that ſuch ſuit is diſmiſſed, and the reaſon why it was diſmiſſed.

LXXIV. That the Sudder Dewannee Adaulut be as well a Court of Appeal as of Review, in all and every the complaints, cauſes, ſuits, claims, and diſputes concerning any Zemindary, Talookdary, Chowdray, other land or houſe; or concerning the inheritance or ſucceſſion to the ſame; or the bounds and limits thereof; or any right, title, claim, demand, or intereſt, or lien to, or in, the ſame, or to the poſſeſſion thereof,

and all other cauſes whatſoever, (other than matters concerning the revenue, which are herein before excepted from the juriſdiction of the Moſuſſil Dewannee Adauluts,) which have been heard, tried, and determined by any Provincial Chief and Council, or any member or members thereof, either in the capacity of Chief and Council, or as members of any Provincial Council, or as a Court of Moſuſſil Dewannee Adaulut; or by any Collector of the revenues at Chittrah, Ramgur, Rungpore, Boglepore or Iſlamabad; and all complaints, cauſes, ſuits, claims, or diſputes, concerning any Zemindary, Talookdary, Chowdray, land, or houſe, and concerning the inheritance and ſucceſſion to the ſame, or the bounds and limits thereof; or any right, title, claim, demand, intereſt, or lien to, or in, the ſame, or to the poſſeſſion thereof; and concerning rents, debts, accounts, contracts, partnerſhips, ſales, or any property of any nature whatſoever, be the ſame perſonal or real, and all duties and demands whatſoever concerning the ſame; and all cauſes and diſputes concerning marriage and caſt; which have been heard, tried and determined in Courts of Moſuſſil Dewannee Adaulut whereſoever eſtabliſhed, and before whomſoever holden, and which ſhall hereafter be heard, tried and determined in any Moſuſſil Dewannee Adaulut; where the decree is or ſhall be for any Zemindary, Talookdary, Chowdray, land, or houſe, being Lakerage, and the annual produce thereof ſhall exceed the ſum of one hundred Rupees; or where the decree is or ſhall be for any Zemindary, Talookdary, Chowdray, land, or houſe, the ſame being Malguzary, if the Jumma or annual revenue to Government ſhall exceed one thouſand Sicca Rupees: and in all other caſes where the decree is or ſhall be for any ſum of money or other thing, the value of which ſhall exceed the ſum of one thouſand Sicca Rupees; and where the petition of appeal againſt any decree concerning any Zemindary, Talookdary, Chowdray, land or houſe, made by any Provincial Chief and Council, or any member thereof or by any Collector of revenues at Chittrah, Ramgur, Rungpore, Boglepore, or Iſlamabad, either in the capacity of Chief and Council, members of Council, Chief or Collector, or as Superintendents of Moſuſſil Dewannee Adauluts, on or before the ſixth day of April one thouſand ſeven hundred and eighty-one, be preſented to the Sudder Dewannee Adaulut, on or before the firſt day of February, which will be in the year of our Lord one thouſand ſeven hundred and eighty-two; and where the petition of appeal againſt any decree made in any Moſuſſil Dewannee Adaulut ſince the ſixth day of April one thouſand ſeven hundred and eighty-one, be preſented to the Moſuſſil Dewannee Adaulut in which the decree was made, or to the Sudder Dewannee Adaulut, within three Kalendar months after the day on which the decree was made: Provided nevertheleſs, that if any petition of appeal be preſented to the Sudder Dewannee Adaulut after the times herein reſpectively limited, and the perſon preſenting the ſame can ſhew juſt and reaſonable cauſe, to the ſatisfaction of the Judge of the Sudder Dewannee Adaulut, for not having preferred the ſame within ſuch limited time, it be competent to the Sudder Dewannee Adaulut to proceed therein, and to hear, try, and determine the ſame, in like manner as if ſuch petition of appeal had

been preſented within ſuch limited time, any thing herein to the contrary notwithſtanding. And the Court of Sudder Dewannee Adaulut is hereby authorized either to confirm or reverſe, in whole or in part, the decree ſo appealed againſt, and may make further order therein, as juſtice, equity, and good conſcience require, and may decree ſuch coſts to either party as by the Court may be deemed reaſonable.

LXXV. That if any petition of appeal be preferred againſt any judgment or decree founded on an award of an arbitrator or arbitrators, the ſame be diſmiſſed with coſts, except full proof be made, to the ſatisfaction of the Court, by the oaths of two credible witneſſes, that the arbitrator or arbitrators have been guilty of groſs corruption or partiality in the cauſe in which they have made their award.

LXXVI. That in matters and cauſes tranſmitted by the Governor General and Council to the Sudder Dewannee Adaulut to be heard, tried and determined, and in all caſes of review, and of appeal, except as to hearing witneſſes and receiving evidence, the Sudder Dewannee Adaulut ſhall proceed in like manner, and with like power and authority, and ſubject to the like reſtrictions, limitations, and exceptions, as the Mofuſſil Dewannee Adauluts are hereby authorized or directed to proceed

LXXVII. That all proceſs as well to parties as witneſſes, and every rule and order for the execution of any decree or final order, and every other order whatſoever, which ſhall iſſue out of the Sudder Dewannee Adaulut, be written or printed in the Perſian and Bengal languages, ſealed with the ſeal of the Sudder Dewannee Adaulut, atteſted by the Judge thereof, and ſigned by the Regiſter thereof; and that all ſuch proceſs, rules, and orders, which are to be ſerved or executed on any parties, witneſſes, or perſons, (other than the parties, Vakeels, or perſons, in actual attendance of the Court,) be directed to the Judge of the Provincial Dewannee Adaulut in which the cauſe of action ſhall originally have ariſen, or in whoſe juriſdiction the lands be ſituated, or the parties or witneſſes ſhall be or reſide; and that every ſuch proceſs, rule and order do limit a time certain in which the ſame ſhall be ſerved, executed, and returned to the Sudder Dewannee Adaulut; and the Judge, to whom the ſame ſhall be directed, ſhall execute the orders contained in ſuch proceſs, rule or order, and return the ſame, ſo executed, within the time limited; or return to the ſaid Court good and ſufficient reaſon why the ſame hath not been ſerved or executed, and what the ſaid Judge hath done in purſuance: Provided, that if any Judge, to whom any proceſs, rule, or order whatſoever ſhall be directed, ſhall wilfully diſobey, or neglect to perform, the commands therein contained, or ſhall make a falſe return thereto, ſuch Judge ſhall be liable to be ſuſpended from his office, by order of the Judge of the Sudder Dewannee Adaulut, until the Governor General and Council ſhall, upon report to be made to them by the Sudder Dewannee Adaulut, have examined into and determined on the matter reported to them. And if the Sudder Dewannee Adaulut ſhould ſuſpend ſuch Judge, the Judge of the Sudder Dewannee Adaulut ſhall, within ten days after ſuch ſuſpenſion, report to the Governor

General and Council ſuch ſuſpenſion, together with the cauſe thereof, and certify, under his hand and the ſeal of the Sudder Dewannee Adaulut, all ſuch proceedings, depoſitions and exhibits, and all other matters which may be neceſſary for the examination into, and determination upon, ſuch ſuſpenſion; and ſhall, on requiſition of the Governor General and Council, tranſmit to them all ſuch papers and proceedings in the cauſe, which they may eſteem neceſſary for their inveſtigation; ſo that nothing herein contained do authorize the Sudder Dewannee Adaulut, in any caſe where any ſum of money is decreed to be paid by any Zemindar, Talookdar, or Chowdry, to iſſue any order to any Moſuſſil Dewannee Adaulut to execute the ſame; but, in ſuch caſe, the Sudder Dewannee Adaulut ſhall certify to the Moſuſſil Dewannee Adaulut, under the ſeal of the Court and atteſtation of the Judge thereof and the ſignature of the Regiſter, a copy of ſuch decree; and the Court of Sudder Dewannee Adaulut ſhall proceed to execute the ſame, in like manner as the Courts of Moſuſſil Dewannee Adaulut are herein before authorized to execute decrees, where any ſum of money is decreed to be paid by any Zemindar, Talookdar, Chowdry, or other landholder: And the committee of revenue is hereby required to execute ſuch decree of the Sudder Dewannee Adaulut in like manner as they are before required to execute the decrees of the Moſuſſil Dewannee Adauluts in like caſes.

LXXVIII. That if any Judge of any Moſuſſil Dewannee Adaulut to whom any proceſs, rule, or order of the Sudder Dewannee Adaulut ſhall be tranſmitted, that the ſame may be ſerved or executed on any party, ſhall return that ſuch party hath abſconded, or was not, after diligent ſearch, to be found, and that he had cauſed ſuch writing to be ſtuck up, and ſuch proclamations to be made in the places and manner herein before in ſuch caſe directed and required, and ſuch party ſhall not appear and obey the exigence of ſuch proceſs, rule, or order, the Court of Sudder Dewannee Adaulut ſhall proceed, ex parte, to hear, try, and determine the cauſe in which ſuch proceſs, rule, or order ſhall have iſſued, in like manner as if ſuch party had appeared and obeyed the exigence of ſuch proceſs.

LXXIX. That it be competent to the Sudder Dewannee Adaulut, in caſe of any appeal, where it ſhall appear to the ſaid Sudder Dewannee Adaulut that the original cauſe has not been ſufficiently inveſtigated in the inferior Court, or for other cauſe which may be deemed reaſonable by the Sudder Dewannee Adaulut, either as a Court of review to receive ſuch further evidence as may be proper for the juſt determination of the cauſe and give judgment thereon; or to ſend the cauſe back to the inferior Court, where it originated, with ſpecial directions to the Judge thereof, with regard to the new evidence he ſhall receive thereon, as ſhall be deemed by the ſaid Court moſt conducive to juſtice, and the convenience of the parties and witneſſes.

LXXX. That the Sudder Dewannee Adaulut may, as it may deem moſt conducive to juſtice, reſpect being had to the nature of the cauſe and the evidence, either ex-

amine the witneſſes to be produced, viva voce, in open Court, cauſing the witneſſes to be firſt ſworn, their depoſitions to be reduced into writing, and ſigned by the witneſſes reſpectively; or authorize the Regiſter of the Court to ſwear, and procure the ſame to be ſigned by, the reſpective witneſſes, and authenticate the ſame by his ſignature, ſo that ſuch examination be in the preſence of both parties or their Vakeels, who ſhall be at liberty to put ſuch queſtions to the witneſſes as they ſhall think proper, which queſtions and the anſwers thereto ſhall be, in like manner, reduced into writing, ſigned and authenticated: Provided nevertheleſs, if due notice be given to the parties, or their Vakeels, of the examination of any witneſs or witneſſes before ſuch Regiſter, and he or they ſhall not attend at the time of ſuch examination, the Regiſter ſhall, and is hereby authorized to, proceed to the examination as before directed, and ſuch depoſitions ſhall be received as good and authentic evidence; and the Judge of the ſaid Sudder Dewannee Adaulut may diſpenſe with the oaths of all ſuch witneſſes as the Moſuſſil Dewannee Adauluts are authorized to excuſe from taking of oaths, on their making and ſubſcribing ſuch declarations in open Court, as are required to be made and ſubſcribed by ſuch witneſſes in the Moſuſſil Dewannee Adauluts; and may, in caſes where the witneſſes ſhall be ſuch women as are before deſcribed, or ſhall reſide at more than fifty Coſs diſtance from Calcutta, grant ſuch commiſſions to ſuch perſons, and on the like occaſions in which the Courts of Moſuſſil Dewannee Adaulut are authorized to grant commiſſions for the examination of witneſſes; and that the Sudder Dewannee Adaulut may iſſue ſuch commiſſions to creditable women, and ſend ſuch letters to the Judges of the Moſuſſil Dewannee Adauluts for examination of witneſſes, and in like caſes, as the Judges of the Moſuſſil Dewannee Adauluts are authorized to iſſue and ſend ſuch commiſſions and letters.

LXXXI. That the Court of Sudder Dewannee Adaulut, if any witneſs duly ſummoned ſhall not attend, or attending ſhall refuſe to be ſworn or give evidence, or to ſubſcribe his depoſition; or if ſuch witneſs, or any other perſon, be guilty of wilful or corrupt perjury in any cauſe depending in the Court, or any contempt in open Court, may deal with ſuch witneſs or perſon in the ſame manner as the Moſuſſil Dewannee Adauluts are authorized to deal with witneſſes or other perſons in the like manner offending.

LXXXII. That if the appellant, in any appeal filed in the Sudder Dewannee Adaulut, ſhall not proceed in the ſame for the ſpace of ſix weeks, the appeal be diſmiſſed, unleſs the appellant ſhall ſhew reaſonable cauſe, to the ſatisfaction of the Court, of his, her, or their, not proceeding therein: and that the Court may, if it ſhall deem it proper ſo to do, award to the reſpondent his, her, or their, coſts of ſuit.

LXXXIII. That in caſe of any matter being referred by the Governor General and Council, except it ſhall be otherwiſe directed by the Governor General and Council, and on any appeal being commenced in the Sudder Dewannee Adaulut, before the

ſame ſhall be proceeded in, the plaintiff in the cauſe referred ſhall depoſite in the hands of the Regiſter of the Court a ſum equal to the depoſite which ſuch plaintiff would have been required to have made, if a complaint had been preferred to a Mofuſſil Dewannee Adaulut for the ſame cauſe; and the appellant in the appeal ſhall, in like manner, depoſite a ſum, bearing the ſame proportion, and calculated in the ſame manner, on the value of the Zemindary, Talookdary, Chowdray, land, houſe, ſum of money, or other thing decreed, as the original depoſite, required to be taken in the Mofuſſil Dewannee Adaulut at the commencement of the ſuit, bore to the Zemindary, Talookdary, Chowdray, land, houſe, ſum of money or thing demanded in the original bill of complaint; which depoſite, if the original decree be reverſed, ſhall be decreed to the appellant: Provided, that the Judge of the Sudder Dewannee Adaulut be authorized, in lieu thereof and of the fees of officers and coſts, to take a Malzaminee or Hazerzaminee, in like manner, and for the ſame cauſe, as the Judges of the Mofuſſil Dewannee Adauluts are authorized to accept ſuch ſecurities in lieu of ſuch depoſite fees and coſts, to be paid in the Mofuſſil Dewannee Adauluts; and in caſe of non-payment of ſuch fees and coſts, to proceed againſt the appellant or his ſecurities, in the manner in which the Mofuſſil Dewannee Adauluts may proceed in ſuch caſes.

LXXXIV. That in cauſes referred by the Governor General and Council no proceedings be had, either on behalf of the plaintiff or defendant, nor any petition of appeal be received, or any act whatſoever be done, either on behalf of the appellant or reſpondent, except by the plaintiff or defendant, the appellant or reſpondent themſelves, or by a Vakeel in like manner authorized as is required for Vakeels acting in the Mofuſſil Dewannee Adauluts; nor by any Vakeel before his Vakalutnamah ſhall have been filed of record in the Court: and that no perſons, except ſuch parties or ſuch Vakeels, ſhall be heard, viva voce, in any ſtage of the cauſes.

LXXXV. That if any Zemindar, Talookdar, or Chowdry, or any perſon, being a native and employed under any denomination whatſoever in the collection of the revenues, under any perſon or perſons who now have, or hereafter may have, the general charge of the revenue, or the charge of the revenue of any particular diſtrict, ſhall reſiſt, or cauſe to be reſiſted, any proceſs, order, rule or decree, which ſhall, at any time, iſſue from the Court of Sudder Dewannee Adaulut; on proof thereof being made by oath to the ſatisfaction of the Judge thereof, ſuch Court may, and ſhall, ſummon ſuch Zemindar, Talookdar, Chowdry, or other landholder, or perſon employed in the collection of the revenues, to anſwer to ſuch charge; and if ſuch Zemindar, Talookdar, Chowdry, or perſon employed in the collection of the revenues, againſt whom ſuch ſummons ſhall have iſſued, ſhall abſcond ſo that he cannot be ſerved with ſuch ſummons, the Court ſhall proceed againſt ſuch Zemindar, Talookdar, Chowdry, or other landholder, or perſon employed in the collections, as againſt other perſons abſconding, ſo that they cannot be ſerved with the proceſs of the Court; and if ſuch Zemindar, Talookdar,

Chowdry, or other landholder, or perſon employed in the collection of the revenues, being ſummoned, ſhall refuſe or neglect to make anſwer; or if, after anſwer given, and the hearing of ſuch evidences as he may produce, it ſhall be proved to the ſatisfaction of the Court, that he is guilty of ſuch charge, the Court ſhall award and decree, that ſuch perſon, being Zemindar, Talookdar, Chowdry, or other landholder, do, from the time of the decree then made, forfeit his Zemindary, Talookdary, Chowdray, or other land, and every right and title which he or his heirs may have in, or to, the ſame; and if ſuch offender be a perſon employed in the collection of the revenues, may impoſe on ſuch perſon a fine not exceeding two thouſand Sicca Rupees; and if ſuch decree be made againſt any Zemindar, Talookdar, Chowdry, or other landholder, immediately, or any appeal be made againſt any ſuch decree paſſed againſt any Zemindar, Talookdar, Chowdry, or other landholder, and the Court ſhall confirm the original decree, the Court ſhall tranſmit to the Governor General and Council a copy of the decree, and of all the proceedings belonging thereto: Provided always, that ſuch Zemindar, Talookdar, Chowdry, or other landholder ſhall not be ouſted, or expelled, from the poſſeſſion of ſuch Zemindary, Talookdary, Chowdray, or other land, except by, or in virtue of, an order from the Governor General and Council confirming ſuch decree, and ordering and directing the manner in which the ſame ſhall be carried into execution, and to whom the Zemindary, Talookdary, Chowdray or other land ſhall be delivered; and that it be competent to the Governor General and Council, either to order ſuch decree to be executed, or to change or commute ſuch forfeiture for any ſum of money, which the Governor General and Council ſhall deem adequate to the offence for which ſuch decree had been given; ſo that if the Governor General and Council ſhall not, within one month after ſuch decree ſhall have been tranſmitted to them, either order the ſaid decree to be executed, or change or commute the forfeiture for ſuch ſum of money as they ſhall deem adequate to the offence, the decree ſhall ſtand confirmed againſt ſuch Zemindar, Talookdar, Chowdry, or other landholder for ever; and the Court ſhall order ſuch Zemindary, Talookdary, Chowdray, or other land to be ſeized and ſequeſtered, and the poſſeſſion thereof to be delivered to an Aumeen, who ſhall be appointed by the Court to manage the ſame; and to receive the rents, iſſues and profits of the ſame, until ſuch time as the Governor General and Council ſhall direct to what perſon, other than ſuch Zemindar, Talookdar, Chowdry, or other landholder, the ſame ſhall be delivered; ſo that the ſaid Aumeen, the neceſſary deductions being made for expences and for his trouble to be allowed by the Court, do account for, and pay to the perſon to whom the Governor General and Council ſhall direct the Zemindary, Talookdary, Chowdray, or other land to be delivered, all rents, iſſues and profits which ſhall have accrued during the time ſuch Zemindary, Talookdary, Chowdray, or other land ſhall have been ſequeſtered.

LXXXVI. That the Petition of Appeal do ſtate (reſpect being had to the matter decreed) the annual produce or revenue thereof, or the ſum, or the value of the thing

decreed, the name of the perſon in whoſe favor the original decree was made, the Court in which it was made, when the ſame was made, what was decreed thereby, and whether the decree has been executed, and aſſign ſome cauſe, ſpecial or general, for appealing from the ſame.

LXXXVII. That the petition of appeal, pleadings, depoſitions and exhibits in the Sudder Dewannee Adaulut be reſpectively numbered, marked, dated, and ſigned by the Regiſter, in the ſame manner as the complaint, pleadings, depoſitions and exhibits are reſpectively ordered to be numbered, marked, dated, and ſigned in the Courts of Mofuſſil Dewannee Adaulut, and ſhall be ſigned by the Regiſter of the Sudder Dewannee Adaulut. That a minute book and abſtract be kept by the Regiſter, in like form as the ſame are directed to be kept in the Mofuſſil Dewannee Adauluts; and that the decree be drawn up and ſigned; and that copies thereof be drawn, ſigned and indorſed, and delivered to the parties; and compleat records be kept in the Sudder Dewannee Adaulut, in like manner as is required in the Mofuſſil Dewannee Adauluts.

LXXXVIII. That where a petition of appeal ſhall be directly preſented to the Sudder Dewannee Adaulut againſt any decree, whereby the right or poſſeſſion of any Zemindary, Talookdary, Chowdray, land, or houſe, ſhall have been decreed to the plaintiff in the original cauſe, and no execution ſhall have been had, or poſſeſſion given, under the decree, the Court of Sudder Dewannee Adaulut ſhall, if the party againſt whom the decree ſhall have been given ſhall have entered into good and ſufficient ſecurity in a ſum equal to one year's value of the rents, iſſues, and profits of the Zemindary, Talookdary, Chowdray, land or houſe, which ſhall have been ſo decreed, to abide and perform ſuch order as ſhall be made in the Sudder Dewannee Adaulut, iſſue an order directed to the Judge of the Mofuſſil Dewannee Adaulut, the decree of which ſhall be appealed againſt, to ſtay execution until the appeal ſhall have been finally determined; and in every caſe where a petition of appeal ſhall be preferred to the Sudder Dewannee Adaulut, and no ſecurity ſhall have been taken by the Mofuſſil Dewannee Adaulut, the Sudder Dewannee Adaulut ſhall not proceed in ſuch appeal, until the party appealing ſhall have given ſuch ſecurity as he would have been herein before required to have given, if he had preferred his petition of appeal in the Mofuſſil Dewannee Adaulut.

LXXXIX. That accurate accounts be made out by the Accountant and Treaſurer of the Sudder Dewannee Adaulut, of all ſums of money, as well received from the Mofuſſil Dewannee Adaulut, as in the Sudder Dewannee Adaulut, on account of depoſites. That the Judge thereof do, after the expiration of every ſix months (the firſt ſix months to be calculated from the firſt day of April laſt), tranſmit a true copy of the ſame, ſigned by the Treaſurer and Accountant, and counterſigned by the ſaid Judge, to the Governor General and Council; and that he cauſe the ſaid ſums to be kept in cheſts provided for that purpoſe with two locks, one key of which ſhall be kept by ſuch Judge, and the other by the Treaſurer and Accountant; and that all ſuch

monies ſhall be and remain at the diſpoſal of the Governor General and Council; and that the Judge of the Sudder Dewannee Adaulut, and the Treaſurer and Accountant, ſhall obey all ſuch orders, reſpecting the payment and diſpoſal of ſuch monies, as they ſhall, from time to time, receive, ſignified to them under the hands of the Governor General and Council; and ſuch orders of the Governor General and Council ſhall be a ſufficient acquittal and diſcharge to ſuch Judge, and Treaſurer and Accountant, for all ſums paid by virtue of ſuch orders.

XC. That the Judge of the Sudder Dewannee Adaulut do punctually make a report at the expiration of every ſix months (the firſt ſix months to be calculated from the firſt day of April laſt) to the Governor General and Council, from what Judges of Moſuſſil Dewannee Adaulut he ſhall have received, as well the accounts of the ſums of money required to be tranſmitted from them to the Sudder Dewannee Adaulut, as the ſums required to be tranſmitted; and alſo the other accounts, papers, tranſcripts, proceedings and records required to be tranſmitted by the Courts of Moſuſſil Dewannee Adaulut; and if he ſhall not receive the ſame, then he ſhall report from whom he hath not received the ſame; and if he ſhall receive only part of the ſame, then he ſhall report what part he hath received, and what part he hath not received; together with the names of the defaulters in ſuch behalf.

XCI. That the Judge of the Sudder Dewannee Adaulut do uſe his utmoſt care and attention to prevent the influence of his private ſervants, in any cauſe depending or intended to be brought on before the Court, and to prevent them from having any connection with the parties.

XCII That any ſervant or dependant of the Judge of the Sudder Dewannee Adaulut, who ſhall receive any money, or other valuable conſideration, under any pretence whatſoever, directly or indirectly, from any party in any ſuit depending in the Sudder Dewannee Adaulut, ſhall be committed as for a contempt of the Court, and ſhall be puniſhed by a fine equal to treble the ſum of money received, or by impriſonment, or by corporal puniſhment, at the diſcretion of the Court; and the Judge of the Sudder Dewannee Adaulut is hereby required and enjoined to diſcharge ſuch ſervant, and never thereafter to employ him, directly or indirectly, in any of his buſineſs, whether public or private.

XCIII. That in all caſes, for which no ſpecific directions are hereby given, the Judge of the Sudder Dewannee Adaulut do act according to juſtice, equity, and good conſcience.

XCIV. That theſe rules, orders and regulations be, on the next court day after the ſame ſhall be received in the Courts of Moſuſſil Dewannee Adaulut, and in the Sudder Dewannee Adaulut, openly read and publiſhed in ſuch Courts reſpectively; and be with all expedition truly and faithfully tranſlated into the Bengal and Perſian

languages, and be either printed or written in a legible hand, and be affixed, for the ſpace of one month at leaſt in ſome conſpicuous part of the room in which ſuch Court ſhall reſpectively be held.

XCV That every reſolution, rule or order, or regulation, made by any former Preſident and Council or Select Committee, or by the Governor General and Council, or the Sudder Dewannee Adaulut, concerning the juriſdiction, power and authority of any Court of Mofuſſil Dewannee Adaulut, or of the Sudder Dewannee Adaulut, concerning the proceſs, proceedings, decrees, executions and practice, which lays any reſtriction, or limitation, or exception on the authority or proceſs of ſuch Courts, other than the reſtrictions, limitations and exceptions, contained in theſe regulations, and every reſolution, rule and order, in any ways contrary and repugnant to the ſame, be from henceforth annulled and revoked; and that from and after the firſt day of Auguſt, one thouſand ſeven hundred and eighty-one, theſe rules and regulations be and remain, in ſo much as the ſame ſhall not be hereafter altered by any reſolution of the Governor General and Council, or order of the Sudder Dewannee Adaulut approved by the Governor General and Council, the only ſtanding rules and regulations for the adminiſtration of juſtice in every Court of Mofuſſil Dewannee Adaulut, and in the Sudder Dewannee Adaulut.

(NOTE.)

The preceding Regulations, paſſed on the 5th July 1781, were printed at the Honorable Company's preſs, in the ſame year. A Perſian tranſlation of thoſe Regulations, made under the orders of Government, by Mr. Wm. Chambers, was printed by Mr. C. Wilkins, in 1782 and publiſhed under the title of

دستور العمل متضمن بر نود و پنج آئین برای انتظام امور عدالتهای
دیوانی صدر و مفصل

A Perſian Abridgment, by the ſame Gentleman, was again tranſlated into Engliſh: and this verſion of the Perſian Abridgment was printed at the Honorable Company's preſs and publiſhed in 1783; with the counter-ſignature of Mr. Chambers, "by order of the Governor General in Council." It is, however, judged unneceſſary to inſert the Engliſh verſion of that abridgment in the preſent compilation.

The Regulations at large were tranſlated into the Bengal language, in 1783, by Mr. Duncan (now Governor of Bombay), and printed, with a re-impreſſion of the original Engliſh, in oppoſite pages. This edition, publiſhed in 1785, contains a Supplement, which is here ſubjoined.

SUPPLEMENT

TO THE

JUDICIAL REGULATIONS,

Containing ſuch Additions as have been made to them ſince the date of their Inſtitution; or, from the 5th of July 1781 to the 17th of December 1784.

I. On the 15 h of Auguſt 1780, the Governor General and Council were pleaſed to forbid all official correſpondence between the Judges and the then Provincial Chiefs and Councils, which prohibition was, on the 30th of April 1782, declared to extend to any ſuch intercourſe being carried on by the Judges with the Committee of Revenue, or the Chiefs and Collectors, or other officers whether native or European, acting under their orders in the different departments of the revenue; and this laſt order was, on the 17th of May 1782, ſtill further extended to an entire prohibition of all official correſpondence between the Judges and any other perſons of whatſoever denomination, excepting the Sudder Dewannee Adaulut, and the Honorable Board in their Revenue Department; which Regulation continued fully in force till the 13th of May 1782, when an official correſpondence was authorized between the Judges and the Preparer of reports to the Revenue Department.

II On the 25th of May 1781, the Governor General and Council approved of the following table of fees for the Regiſter, Tranſlators, and officers of the Sudder Dewannee Adaulut.

1ſt. TO THE REGISTER.

	Rupees.
1 For regiſtering every Petition of appeal or anſwer, where the cauſe of action does not exceed 5000 Sicca Rupees.	5
2. Where it exceeds 5000 do. - - - -	10
3 For regiſtering any other petition - - - -	2
4 For every order, ſummons, or proceſs whatſoever, to parties or witneſſes in cauſes not exceeding 5000 Rupees. - - - - -	3
5. Exceeding 5000 Rupees. - - - - -	5
6. For the enrollment of every decree to be paid by the party in whoſe favor the ſame is made, where the cauſe of action does not exceed 5000 Sicca Rupees. -	5
7. Where it exceeds 5000 Rupees. - - - -	10
8 For making copies of every petition or anſwer, of every exhibit and every depoſition, and of every paper, rule, matter, or proceeding where the cauſe does not exceed 5000 Rupees. - - - - -	1
9 Exceeding 5000 Rupees - - - - - -	2
10. For entering and filing every ſecurity taken for the proſecuting of any appeal, or for appearance, for regiſtering every Vakalutnamah; and for every ſearch in his office each - - - - - - - -	1

11. A fee of 10 per Cent. upon the de, office fee to be received on all original ſuits or appeals in this Court.

2d. TO THE ASSISTANTS TO THE REGISTER.

1. For calling every cauſe where the ſum does not exceed 5000 Sicca Rupees. - 1
2. Where it exceeds 5000 Rupees. - - - - - - - - 2
3. For copies of every pleading, matter, or thing, ſix Annas out of every Rupee received by the Regiſter.

TO THE PERSIAN AND BENGAL TRANSLATORS.

the amount of which to be equally divided between them.

	Rupees.
1. For tranſlating every Arzee of Appeal, or Arzee at the commencement of a cauſe; and every anſwer where the cauſe of action does not exceed 5000 Sicca Rupees. - - - - - - - - - - - - -	5
2. Where it does exceed 5000 Sicca Rupees. - - - -	10
3. For tranſlating every other Arzee - - - - - -	2
4. For tranſlating every decree of this Court where the cauſe of action does not exceed 5000 Sicca Rupees. - - - - - -	5
5. Where it does exceed 5000 Sicca Rupees. - - - - - -	10

III. But it was at the ſame time provided, that the preceding fees are not to be exacted from ſuch perſon or perſons who ſhall or may be excuſed on account of poverty from paying the depoſite fee. But if the party ſo excuſed ſhall ſucceed in his appeal, ſuch coſts ſhall be included in the decree, and be received by the ſeveral officers entitled thereto.

IV. On the ſame day that the above table of fees was paſſed, the Board were pleaſed to authorize a fee of 10 per cent, on the depoſite fee, to be received at the commencement of cauſes in the ſeveral Provincial Dewannee Adauluts to be appropriated as an additional allowance to the Judges of ſuch Courts reſpectively.

V. The Board, with a view to correct the abuſes to which the uſe of Mohuſſel Peons are liable, were pleaſed on the 5th and 26th of June 1781 to ordain, that all Engliſh Chiefs or Collectors, and all Zemindars, Talookdars, Chowdries, Farmers, Mutahids, Amils, Sezawils, Etmaumdars, Tehſeeldars or others employed under any denomination in the Collection of the revenues, do in every caſe, where they may find it neceſſary to employ Mohuſſels, furniſh the Peons ſo employed with a writ or order under their reſpective ſeals and ſignatures: and iſſued at the ſame time public notice, that any perſon acting without ſuch warrant ſhall be liable to puniſhment on complaint made to any of the Judges of the Dewannee Courts.

VI. Some differences having ariſen between the Judge of the Moſuſſil Dewannee Adauluts of Dacca and Backergunge relative to the boundaries of their reſpective juriſdictions, the Governor General and Council were pleaſed, on the 3d of Auguſt 1781, to declare, that the limits of that of Backergunge did not in any wiſe extend to the eaſtward of the river Megna, and conſequently neither to Luckipore or Beloonah, as the Judge of that Court had conceived; and that to prevent any future differences of opinion that might poſſibly ariſe between the ſaid Judges in regard to their reſpective claims of juriſdiction on the Churs or iſlands lying in that part of the river Megna which runs from the junction of the Colly-Gonga to the north end of the iſland of Gaugepore, the judicial authority in and over theſe iſles ſhall be accounted to belong to whichſoever ſide of the river they are appendages; and that ſhould there be any independent Churs or iſles within this ſpace, the juriſdiction over them ſhall appertain to the Judge of Dacca as Judge of the eaſtern ſide, whilſt, on the other hand, the iſland of Gaugepore and all the Churs and iſles to the ſouthward thereof (excepting the Purgunnah of Sundeep and its dependencies) ſhall remain under the excluſive juriſdiction of the Judge of Backergunge.

VII. On the 16th of April 1782, the Honorable Board were pleaſed to order that the clauſe in the 18th article of the Judicial Regulations, which reſtrains the Judges of the Moſuſſil Dewannee Adauluts from entertaining or deciding upon any ſuit or cauſe for any matter or thing directly or indirectly relating to the public revenue, ſhould be conſtrued to extend to prohibit the ſaid Courts from taking cognizance of the grounds of any demand for, or undue exactions of, revenue, made by any Collector or other perſon whatever employed in the collections, officially or hereditarily, in the different gradations from Government to the Ryet; which prohibition was at the ſame time expreſsly meant and declared to comprehend all ſuch demands or exactions made on the poſſeſſors or proprietors of Bermutter or other alienated land claiming not to be chargeable with Malgizary or government revenue.

VIII. Application having been made by one of the Judges to the Governor General and Council to have defined "What Bermutter or other grants for holding Lakerage or alienated lands ſhould be eſteemed good and ſufficient to enable the proprietors to hold the ſaid land free from the payment of revenue to Government?" it was, on the date above mentioned, declared by the Honorable Board, that as ſuch alienations had never met with their approbation, and as they conſidered all ſuch grants made by the Zemindars or others as irregular and of no effect, without their own immediate ſanction, they muſt therefore reſerve excluſively to themſelves the deciding on all ſuch claims, which the Adauluts are not therefore to take cognizance of; which authority the Honorable Board have, however, ſince delegated to the Committee of Revenue under certain reſtrictions.

IX. The Board of Trade having repreſented that the buſineſs of their department was ſubjected to embaraſſments, in conſequence of the direct juriſdiction which the Judges of the Moſuſſil Dewannee Adauluts now exerciſed over the weavers, by compelling their

immediate appearance on complaints preferred againſt them, inſtead of procuring their attendance by a certain day, through the medium of their Gomaſtah, as had heretofore been the practice, the Governor General and Council determined on the 17th of May 1782, that the Regulations of the 5th of July 1781 had already ſufficiently provided the means of obviating the inconvenience complained of, ſince the Gomaſtah had it in his option to offer bail for the Company's weavers in every occaſion wherein the public intereſt might require it; which explanation was alſo ſent on the ſame day to the Judge of Raujeſhaut and afterwards to all the other Judges on the 26th of July 1782 for their guidance.

X. On the 31ſt of May 1782, the Governor General and Council, having reſolved to aboliſh the tax hitherto collected on horſes, ordered a publication to be made to all Zemindars and others, declaring, that if any perſons ſhall either themſelves lay any impoſition on the venders or owners of horſes, or ſtop horſes from paſſing, on any pretence whatever, or ſhall ſuffer others under their authority to do either, the party or parties offending ſhall be obliged to refund treble the amount ſo taken, and ſhall be made anſwerable for whatever loſs the merchant or proprietor of the horſe or horſes ſhall have ſuſtained by ſuch detention; and the ſeveral Judges of the Moſuſſil Dewannee Adaaluts were on the ſame day adviſed of this Regulation, and directed to take judicial cognizance of all complaints which might be preferred to them on the ſubject.

XI. On the 10th of September 1782, the Governor General and Council approved of the following table of fees for the Regiſter and native officers of all the Moſuſſil Adaaluts, excepting thoſe of Bogleporc, Chittra, Rungpore, and Iſlamabad, in which four Courts no fees were allowed, nor of courſe in thoſe ſince eſtabliſhed at Gyah or Rotas and Sylhet, which are united with the office of the Collectorſhip.

TABLE of FEES, for the native and other officers in the Moſuſſil Dewannee Adaaluts.

TO THE REGISTER.

	R.	*A.*	*P.*
1. For regiſtering every petition or anſwer at the commencement of every ſuit, and for the enrolment of every decree, to be paid by the party in whoſe favor the ſame is made, where the cauſe of action exceeds 20 Sicca Rupees, and does not exceed 50 Rupees, - - - - - -	0	8	0
2 Ditto, in cauſes not exceeding 100 Rupees, - - -	0	10	0
3 In all cauſes exceeding 100 Rupees, and not exceeding 3000 Rupees, an addition of 2 Annas on each hundred, - - - -			
4 In every cauſe exceeding 3000 Rupees, - - -	5	0	0
5 For every order, ſummons, or proceſs whatſoever to parties or witneſſes, where the cauſe of action exceeds 50 Rupees, and does not exceed 100	0	2	0
6. Ditto, in cauſes not exceeding 500 Rupees. - -	0	3	0

7. In all cauſes exceeding 500 Rupees, and not exceeding 3000, an addition of one Anna, on every five hundred Rupees.

8. In every cauſe exceeding 3000 Rupees, 0 10 0

9. For making copies of every petition or anſwer, of every exhibit, and every depoſition, and of every paper, rule, matter, or proceeding; for entering and filing every ſecurity where required at the commencement of any ſuit, or for appearance; for regiſtering every Vakalutnamah, and for every ſearch in the office; where the cauſe of action exceeds 100 Rupees, and does not exceed 500 Rupees, - - - - - - - - 0 2 0

10. Ditto in cauſes not exceeding 1000 Rupees, - - 0 3 0

11. Ditto in cauſes exceeding 1000, and not exceeding 3000 Rupees, an addition of one Anna on every 1000 Rupees.

12 In every cauſe exceeding 3000 Rupees, - - - - - 0 8 0

13. For regiſtering every Durkhaſt, or petition of appeal, - - 2 0 0

14. For ſerving or executing every order, ſummons or proceſs whatſoever in cauſes appealed, to be levied from the party in whoſe favor the decree is made, - - - - - - - 1 0 0

Four Annas out of every Rupee received by the Regiſter, by virtue of the foregoing fees, to be paid and divided to and among the native officers, in ſuch proportions as the Judge of the Court in his diſcretion ſhall think fit.

XII. It was at the ſame time provided, that the foregoing fees are not to be exacted from ſuch perſon or perſons, who ſhall or may be excuſed on account of poverty from paying the depoſite fee; but if the party ſo excuſed ſhall ſucceed in his cauſe, ſuch coſts ſhall be included in the decree, and be received by the ſeveral officers entitled thereto.

XIII. The Judge of the Patna Adaulut having, on the receipt of the two Regulations noticed in the 7th and 8th preceding paragraphs, made application to the Board, and obſerved, that a great part of the Province of Bahar "is held by Aymadars, Ultumghadars, and others under Sunnuds of former Kings, and confirmed by Government;" and applied to know, whether the Dewannee Adaulut juriſdiction was not competent to take cognizance of the claims of parties to thoſe hereditary eſtates, the Governor General and Council decided, on the 24th of September 1782, that in reſpect to all ſuch free grants of this nature, as, having been made by former Kings, had been confirmed by the Company's Government, the Dewannee Courts are competent to entertain ſuits in the manner ſtated in the Judge's queſtion, being at the ſame time duly attentive to the nature and condition of all ſuch free grants, ſo as not to give the heirs a right in any reſpect different from or ſtronger than that of the original grantee, nor confirm to an heir the enjoyment of a bounty which may, perhaps, have been originally beſtowed either for the lifetime of the anceſtor, or on ſpecific conditions, which, being no longer performed, may occaſion the juſt reſe of the grant to Government.

XIV. On the 25th of February 1783, the Governor General and Council took into conſideration a ſtanding rule and order framed and propoſed by the Mofuſſil Dewannee Adaulut of Moorſhedabad as followeth:

" That in complaints in which it ſhall appear either by the application of the Nabob or the repreſentation of the defendant at or before the time of giving in the anſwer, or by the petition of the complainant, that both parties are ſervants of his excellency the Nabob Mobareckeddowla, ſuch parties ſhall be referred for juſtice to their common maſter, or to the perſon whom he ſhall appoint for the diſpenſation of it; and, moreover, that on complaints which may be brought againſt any ſervant or ſervants of his Excellency, by perſons of a different deſcription, it ſhall be lawful for the Court to exerciſe its diſcretion in referring ſuch cauſes to his Excellency as aforeſaid, or in hearing them in the ordinary manner, taking care at all times, and in all caſes, to pay every proper attention to the dignity, and the long eſtabliſhed rights, of the Nabob."

The aforeſaid rule met, on the date abovementioned, with the approbation of the Governor General and Council who at the ſame time farther ordered that the exemption therein allowed be extended to all the relations and family of the preſent Nabob Mobareckeddowla, and to the widows and female deſcendants of the former Nazims of Bengal, with the proviſo, that in every inſtance, where any of the parties, in whoſe favor this regulation is intended, ſhall, as plaintiffs or defendants, prefer the juriſdiction of the Adaulut to that of the Nabob, the Judge do proceed to hear and take cognizance of all ſuch cauſes in the uſual manner.

XV. The Judge of the Mofuſſil Dewannee Adaulut of Patna having repreſented to the Governor General and Council that there were numerous complaints brought before him for debts due on mortgage-bonds; by the enquiry into which, the receipts from the ſubject mortgaged often appeared to have more than doubled the original loan, he conſidered theſe as caſes of ſuch hardſhip as to requeſt the Honorable Board's inſtructions how to proceed relative to them, as ſuch practices, however conformable to the cuſtom of the Bahar Province, appeared to him in the light of a palpable evaſion of the 21ſt article of the regulations, wherefore he propoſed, that only the ſame intereſt ſhould be allowed on mortgage bonds, that is by the abovementioned article of the code allowed on other bonds; and that the mortgaged property ſhould be redeemed whenever the original with the ſimple intereſt ariſing thereon ſhould be or have been diſcharged by the mortgager; which propoſitions having on the 13th of June 1783 met with the Honorable Board's approbation, the Judge was directed to act accordingly, and this is therefore to be conſidered as a general rule throughout the Provinces.

XVI. On the 6th of February 1784 the Governor General and Council having been pleaſed to appoint a civil ſervant of the Company to the joint offices of Collector and Judge of Adaulut of the Sircar of Rotas, and of the Pergunnahs and diſtricts of Ser-

ris-Columba, Sheregauty, and Sunnaut and Tekary; the jurisdiction of the Mofuſſil Dewannee Adaulut of Patna does of courſe no longer extend over this diviſion of the Bahar Province.

XVII. The Governor General and Council determined, on the 27th of February 1784, that the rates of the depoſites paid at the commencement of ſuits be raiſed, and hereafter taken as follows:

On the 1ſt 1000 Rupees of the claim, - - -	8 Per Cent.
On the next 4000 Rupees of the claim, - -	5 ditto.
On the next 5000 Rupees of the claim, - -	4 ditto.
On the next 5000 Rupees of the claim, - -	3 ditto.
On all above the 1ſt 15,000 of the claim, - -	2 ditto.

And the Judges were at the ſame time authorized, excluſive of thoſe caſes already mentioned in the regulations, to puniſh by fine not exceeding 200 Rupees, for contempt of Court, neglect of orders, non-attendance, and the like; and alſo for all undue arrogations of the authority of the Dewannee Adaulut, and for all illegal exertions, in individuals, of judicial authority in their own cauſes.

XVIII. The Governor General and Council having on the 15th of September 1784 veſted the Collector of Sylhet with the authority of Judge of Adaulut in and throughout his Collectorſhip, the juriſdiction of the Adaulut of Sultanoe has become thereby limited to that part which lies beyond the limits of the Sylhet Province.

REGULATIONS

FOR THE

ADMINISTRATION OF JUSTICE,

IN THE

COURTS OF MOFUSSIL DEWANNEE ADAULUT,

AND IN THE

SUDDER DEWANNEE ADAULUT.

Reviſed and adapted to the Syſtem eſtabliſhed by the Orders of the Court of Directors of the 12th April 1786, and approved by the Right Honorable the Governor General in Council, on the 27th of June, 1787.

WHEREAS in purſuance of the general Regulations for the adminiſtration of juſtice, made and ordained on the twenty-firſt day of Auguſt, in the year of our Lord one thouſand ſeven hundred and ſeventy-two, by the late Preſident and Council, Courts of Mofuſſil Dewannee Adaulut, or Provincial Courts of civil juſtice, were erected and

eſtabliſhed, to be ſuperintended by the Collectors of the Revenue Department, in the grand diſtricts or diviſions of Patna, Dinagepore or Purnea, Moorſhedabad, Dacca, Burdwan, and Calcutta; and a Court of Sudder Dewannee Adaulut, or Supreme Court of civil juſtice, was eſtabliſhed in the town of Calcutta, which was afterwards, in the year one thouſand ſeven hundred and ſeventy-four, diſcontinued until the twentieth day of March, one thouſand ſeven hundred and eighty, when the Governor General and Council revived and recontinued the ſame; but, on account of the multiplicity of buſineſs of the Governor General and Council, no Court of Sudder Dewannee Adaulut, was held before the Governor General and Council, or any member thereof; wherefore it was, on the twenty-fourth day of October, one thouſand ſeven hundred and eighty, reſolved, that the ſaid Court ſhould be held before one Judge, who was nominated and appointed by the Governor General and Council, and who ſat and paſſed decrees therein until the 14th of Auguſt 1782, ſoon after which, viz. on the 15th of November of the ſame year, the Governor General and Council determined to re-aſſume in their full capacity the office of Judges of the Sudder Dewannee Adaulut, which they now exerciſe accordingly.

And Whereas great inconveniencies have ariſen from the local juriſdiction of the ſaid Courts of Moſuſſil Dewannee Adaulut being too extenſive, and therefore, for the more ſpeedy and effectual adminiſtration of juſtice, additional Courts of Moſuſſil Dewannee Adaulut, ſome of them independent of, and others annexed to, the Collectorſhips, were, in the year one thouſand ſeven hundred and eighty, eſtabliſhed throughout the Provinces, which continued, with ſome few alterations, till the 18th of April 1787, when in conſequence of inſtructions from the Court of Directors, under date the 12th March 1786, it was, in conſideration of the greater ſimplicity, energy, juſtice, and œconomy, which are expected to be the reſult of the meaſure, determined to re-inveſt the Provincial Collectors of the Revenue, from the 1ſt of the then enſuing month of June, with the ſuperintendence of the Courts of Moſuſſil Dewannee Adaulut, with the exceptions hereafter mentioned.

And Whereas at different times, and under different circumſtances of the Courts of Moſuſſil Dewannee Adaulut, and of the Sudder Dewannee Adaulut, divers rules, ordinances, and regulations, as occaſion did require, were made and framed for the adminiſtration of juſtice, many of which are not adapted to the ſtate of the preſent Courts, for the better aſcertaining, as well the powers, authority, and juriſdiction of the ſaid Courts, as the countries, diſtricts, and places, over which the ſame do and ſhall extend; and for explaining ſuch rules, orders, and regulations, as may be ambiguous; and revoking ſuch as may be repugnant or obſolete; and to the end that one conſiſtent Code be framed therefrom, and one general table of fees eſtabliſhed in and throughout the ſaid Courts of Moſuſſil Dewannee Adaulut, by which a general conformity may be maintained in the proceedings, practice, and deciſions of the ſeveral Courts; and that the inhabitants of theſe countries may not only know to what Courts and on what occaſions they may apply for juſtice, but, ſeeing the rules, ordinances, and regulations, to which the Judges are by oath bound

invariably to adhere, they may have confidence in the ſaid Courts, and may be apprized on what occaſions it may be adviſable to appeal from the Courts of Moſuſſil Dewannee Adaulut to the Court of Sudder Dewannee Adaulut; and, knowing the utmoſt of the coſts which may be incurred in their ſuits, may not, from any apprehenſion of being involved in exorbitant and unforeſeen expences, or of being ſubjected to the frauds or extortion of the officers of the Court, be deterred from proſecuting their juſt claims.

Be it Reſolved,

I. That every reſolution, regulation, or order, of the former Preſident and Council, or of the Governor General and Council, relative to the adminiſtration of juſtice in the Courts of Moſuſſil Dewannee Adaulut, or in that of the Sudder Dewannee Adaulut, not comprehended in the preſent Code, be revoked and annulled.

II. That the office of Judge of the ſeveral Provincial Courts be reſpectively held by that perſon who hath, or ſhall hereafter have, the charge of the revenue in each reſpective place, with the exception of the three Courts now eſtabliſhed in the capital cities of Moorſhedabad, Patna, and Dacca, which are to continue independent of any Collectorſhip for the deciſion of cauſes of a civil nature, originating within the limits of the ſaid cities reſpectively.

III. That every perſon appointed a Judge of any Moſuſſil Dewannee Adaulut, before he ſhall enter on the execution of his office, do, before the Governor General in Council, or ſuch perſon as ſhall, by the Governor General in Council, be deputed to adminiſter the ſame, take and ſubſcribe an oath in the following words:

"*I do ſwear, that I will adminiſter juſtice, to the beſt of my ability, knowledge, and judgment, without fear, favor, promiſe, or hope of reward; and, that I will not receive, directly or indirectly, any preſent or Nuzzer, either in money, or in effects of any kind, from any party in any cauſe, or from any perſon whatſoever, on account of any ſuit to be inſtituted, or which may be depending, or have been decided, in the Court of Adaulut under my juriſdiction; nor will I, knowingly, permit any perſon or perſons under my authority, or in my immediate ſervice, to receive, directly or indirectly, any preſent or Nuzzer, either in money, or in effects of any kind, from any party in any cauſe, or from any perſon whatſoever, on account of any ſuit to be inſtituted, or which may be depending, or have been decided, in the Court of Adaulut under my juriſdiction; and that I will render a true and faithful account of all ſums received for depoſites on cauſes and fees of Court, and of all expenditures.*"

IV. That the eſtabliſhment of the native officers in the ſaid Courts reſpectively, be the ſame as was approved by the Governor General in Council, and tranſmitted to the ſeveral Collectors of the Provinces of Bengal and Oriſſa, in their capacity of Judges, under date the 18th of April 1787; and that thoſe of the Courts, which are not annexed to any Collectorſhip, be fixed according to the order of the Governor General in Council, under date the 27th of June 1787.

V. Same with the 5th Article of Regulations of July 178.. See P. 41.

VI. That the Regiſter, and native officers conſiſting of the Darogas, Paiſhcars, Moolavies, Pundits, Aumeens, Munſiffs, Perſian Seriſhtadar or head Moonſhee, the Moonſhees and Mohrirs, do take and ſubſcribe, in open Court, before the Judge of the Moſuſſil Dewannee Adaulut to which they belong, the following oath:

"*I A. B. will truly and faithfully perform the office of (Regiſter) of this Court according to the beſt of my knowledge and ability, and I will not receive, directly or indirectly, any preſent or Nuzzer, either in money, or in effects of any kind, from any party in any cauſe, or from any perſon whatſoever, on account of any ſuit to be inſtituted, or which may be depending, or have been decided, in the Court of Adaulut of which I am Regiſter, Daroga, or other reſpective Officer as aforeſaid.*"

And that the Pundits do make and ſubſcribe the following declaration: "*I will faithfully execute the office of a Pundit in this Court, on queſtions, put to me in writing, or by word of mouth, by the ſaid Court, or any Judge thereof. What is in the Shaſter I will declare, or give in writing: I will declare nothing not warranted by the Shaſter. If I declare any thing not warranted by the Shaſter, I ſhall be deſerving of puniſhment from Iſhwor; and I promiſe and ſwear not to accept of any conſideration, in money or otherwiſe, for any opinion or declaration of the law I may deliver as Pundit of this Court.*"

VII. That it be the duty of the Regiſter, in each Moſuſſil Dewannee Adaulut to aſſiſt the Judge thereof, by making tranſlations into Perſian of ſuch papers as the Judge may require to be tranſlated, and to do all other official acts, which may be preſcribed to him by the ſaid Judge. That the Judge be authorized to impower the Regiſter to hear and receive evidence in any cauſe, and to paſs ſentence in cauſes where the value conteſted ſhall not exceed the ſum of 200 Rupees; or if the ſuit be for land, when the public Government rent thereof ſhall not exceed 200 Rupees per annum when Malguzary, or if Lakherage, where the annual produce thereof ſhall not exceed 20 Rupees, or if Ayma, paying a quit rent to Government, where ſuch revenue ſhall not exceed the ſum of 10 Rupees per annum. All ſuch acts to be performed in open Court on extra days, when the Judge ſhall not ſit himſelf, and ſuch decrees to be ſigned by the Regiſter, and counterſigned by the Judge, as a mark of his approbation; without which ſuch decree ſhall not be valid. That the Daroga of each Court do, after the riſing of the Court, procure all acts of the Court to be executed, and do aſſiſt the Regiſter in arranging and keeping the records, muniments and papers of the Courts; but that he do not, in any other manner, on any pretence whatſoever, publicly or privately, interfere in any cauſe, matter, or thing, depending before the Court; or which may be intended to be brought before the Court. That the Judge of every Court may allot and aſſign, to the reſpective officers of the Court, the particular buſineſs, which ſhall be, reſpectively, done and performed by ſuch officers.

VIII. That the ſaid Courts of Mofuſſil Dewannee Adaulut, reſpectively, have full power and authority to frame and make ſtanding rules and orders, and rules of practice for the adminiſtration of juſtice; ſo that the ſame be not uſed, in the ſaid Courts, until they have been tranſmitted to the Sudder Dewannee Adaulut, under the official ſeal and ſignature of the Judge of the Court in which they ſhall have been framed; and have, upon tranſmiſſion from the Sudder Dewannee Adaulut to the Governor General in Council, been ratified and approved, whereupon they ſhall become rules not only of the Court which framed the ſame, but of all the other Mofuſſil or Provincial Dewannee Adauluts. That a copy of theſe rules and regulations be forthwith tranſmitted to the ſeveral Mofuſſil Dewannee Adauluts, and that the Regiſter of each Court ſhall, on the receipt thereof in the Court to which he ſhall belong, mark ſuch copy with the day of the month and year, in which it ſhall have been received, and file the ſame of record; and ſhall, in like manner, mark and file of record every other copy of every ſtanding rule or order for the adminiſtration of juſtice, which may hereafter be made by the Governor General in Council, and tranſmitted to the Mofuſſil Dewannee Adaulut: And that a ſeparate book be kept by the Regiſters, in which ſhall be entered a copy of theſe rules and regulations, and of ſuch ſtanding rules and orders as aforeſaid; together with the date when the ſame ſhall be reſpectively received; which ſaid entries ſhall be ſeverally authenticated by the ſignature of the Judge, and ſhall be and remain records of the Court.

IX. That the following table of fees be eſtabliſhed for the Regiſter and native officers of the Mofuſſil Dewannee Adauluts.

TABLE of FEES, &c. (as in the 11th Article of the Supplement to Regulations of 1781)
See P. 90.

That for the preventing of all exceſſive or undue demand of fees, the Judges ſhall cauſe one copy of the foregoing table in the Engliſh language, and a faithful tranſlate thereof in the Perſian and Bengal languages, or Perſian and Hindoſtany for the Behar Province, written in a legible hand, to be affixed &c. (as in Article 10th of Regulations of July 1781) See P. 43.

X. Same with the 11th Article of Regulations of July 1781, See P. 44.

XI. That the juriſdiction, power, and authority of the Courts of the Cities of Moorſhedabad, Patna, and Dacca, be diſtinct and ſeparate from that of any perſons, who now are, or hereafter may be, by what nameſoever called, in charge of the collection of the revenues; and of the perſons now conſtituting, or who may hereafter conſtitute, the Board of Revenue. And all ſuch perſons are hereby ſtrictly charged and commanded in no wiſe, and under no pretence whatſoever, to interrupt or interfere with any proceſs, proceedings, decrees, executions, acts, or orders of any of the ſaid Courts of Mofuſſil Dewannee Adaulut, or any perſons acting by, or under their authority; and

that the jurisdiction, power, and authority of the several other Courts, of which the Collectors are to be Judges, shall be, and shall be considered, by the Judges, thereof, as entirely distinct and separate from the powers and duties of their office of Collectors; that as Collectors they be subject under the supreme authority of the Governor General in Council to the orders and controul of the Board of Revenue; that as Judges they be wholly independent of that Board, and subject only to the orders of the Governor General in Council, and of the Court of Sudder Dewannee Adaulut, and to the requisitions of the office of Preparer of reports; and shall do and perform all such matters and things, as are or shall be required by the said Governor General in Council, or by the Sudder Dewannee Adaulut, or by the office of Preparer of reports, as aforesaid, it being understood that the requisitions of this last officer, to any Adaulut, shall be only relative to procuring information on the state of any petitioner's case, or to the taking and transmission of such evidence, or making such enquiry for the Preparer of reports, as may be required, but shall not extend to the passing of any decision at his requisition: That they shall transmit copies of all their judicial proceedings as Judges to the Court of Sudder Dewannee Adaulut, to which an appeal shall be, in like manner, as from the other Mofussil Dewannee Adauluts, and act in every respect in conformity to the rules laid, or to be laid, down for the Judges of the Mofussil Dewannee Adauluts, in general.

XII. That the Mofussil Dewannee Adauluts be respectively held in a large and convenient room in that town or place, where the Judges thereof shall reside, two days in every week, and oftener if occasion shall require; and that no rule, order, proceeding, or decree of the said Courts be made, but on Court days, and in open Court.

XIII. That the Judge shall be authorized to adjourn the Court from time to time, for a period not exceeding one month, at any season of the year, but that such adjournments shall not exceed the term of three months during the whole year.

XIV. That the matters cognizable in the Mofussil Adauluts be all disputes concerning property, whether real or personal; all causes of inheritance, marriage, or cast; all claims concerning the right and succession to Zemindaries, Talookdaries, Chowdraies, Aymas, Altumghas or other rent-free lands, (as in the 18th Article is with respect to the said Altumgha, Ayma, and free lands, more particularly limited,) or concerning disputes regarding the boundaries thereof; and all matters relating to debts, accounts, contracts, partnerships, and duties; and in general all subjects of litigation, being of a civil nature, and not concerning the Revenues.

XV. As the 15th Article of Regulations of July 1781, inserting the words, 'as a fixed inhabitant' after 'reside.' See P. 45.

XVI. That whereas the Governor General and Council, with a view to correct the abuses to which the use of Mohussel Peons are liable, were pleased, on the 5th and 26th of June 1781, to ordain that all English Chiefs or Collectors, and all Zemindars, Ta-

lookdars, Chowdries, farmers, Mutahids, Amils, Sezawils, Etmaumdars, Tehſeeldars, or others, employed under any denomination in the collection of the revenues, do in every caſe, where they may find it neceſſary to employ Mohuſſels, furniſh the Peons ſo employed with a writ or order under their reſpective ſeals and ſignatures; and iſſued at the ſame time public notice, that any perſon acting without ſuch warrant ſhall be liable to puniſhment on complaint made to any of the Judges of the Dewannee Courts, the Judges of the ſaid Moſuſſil Dewannee Adauluts be authorized to puniſh all offenders in this behalf by a fine not exceeding 5 Rupees, or impriſonment for a term, which ſhall not exceed ten days.'

XVII. That the juriſdiction of the Moſuſſil Dewannee Adauluts, of which the Collectors are Judges, have, with the exception of the reſerved juriſdiction of the three cities aforeſaid, the ſame extent as the Collectorſhips reſpectively.

XVIII. That in every caſe where a ſuit has been inſtituted in one Court of Moſuſſil Dewannee Adaulut, in which ſuch ſuit is cognizable, it ſhall not be competent to any other Court of Moſuſſil Dewannee Adaulut to entertain any ſuit for the ſame cauſe of action; and proof being made in any Court of Moſuſſil Dewannee Adaulut, in which a ſecond ſuit ſhall be commenced on the ſame cauſe of action, that the prior ſuit has been inſtituted in ſuch other Court of Moſuſſil Dewannee Adaulut for the ſame cauſe of action, the Court, in which the ſecond ſuit ſhall have been brought, ſhall diſmiſs the ſame with coſts, to be paid by the parties there ſuing.

XIX. That the powers and authorities, hereby given and deputed, do, in no wiſe, extend to, or be conſtrued to extend to, authorize any Court of Moſuſſil Dewannee Adaulut, to entertain any ſuit or cauſe, for any matter or thing directly or indirectly, relating to the public Revenue; nor concerning any demand of Government on Zemindars, Talookdars, Chowdries, or other landholders, farmers, Muttahids, Wadadars, ſecurities, Aumils, Tehſeeldars, Etmaumdars, or others employed in the Collections, or in any wiſe reſponſible for the revenues; or any demands of Zemindars, Talookdars, Chowdries, or other landholders, farmers, Muttahids, Wadadars, ſecurities, Aumils, Tehſeeldars, Etmaumdars, or other perſons employed in the Collections, on their under farmers, Malzamins, inferior landholders and Collectors, or others, from whom rents or revenues have been immediately due to them: Nor any demands for rents or revenues on perſons employed in the collection of them, officially or hereditarily, in the different gradations downwards, from Government to the Ryots, or immediate occupants of the ſoil; nor again, in the ſame manner, of any complaints of Ryots and perſons, of any of the above-mentioned denominations, againſt the perſons to whom they pay revenues in the different gradations upwards, for irregular, or undue, exactions; nor of, or concerning, any adjuſtments between Zemindars, Chowdries, Talookdars or other landholders, with their ſecurities, farmers, or Wadadars; nor any claims of any ſuch ſecurities, farmers, or Zemindars; nor to paſs any decree concerning Altumgha, Ayma,

or any rent free lands, confirming the ſame to either of the parties ſuing, unleſs ſuch party ſhall be able to prove his right by poſſeſſion previous to the 19th of Auguſt 1765, or by grants under the ſanction of the Preſident and Council, or Governor General and Council, or by the late Committee of Revenue, or the Superintendent of the Bazee Zemin Dufter in Bengal; nor to give the parties, or their heirs, a right in any reſpect different from, or ſtronger than, that of the original grantee; nor to confirm to any heir the ſucceſſion to lands originally granted for the life of the incumbent, or on conditons which render the grant reſumable by the Government. Nor to give any decree in any ſuit concerning the ſucceſſion or inheritance to any Zemindary, Talookdary, Chowdray, land or houſe, where there be more claimants than one, who, by the Hindoo or Muſſulman law, (reſpect being had to the religion of the claimants,) would be entitled to the ſame; except the ſame be, by ſuch decree, adjudged to all ſuch claimants, in ſuch portions as they ſhall be, reſpectively, entitled to by the law of that religion which the claimants profeſs.

XX. Nor to authorize the Mofuſſil Dewannee Adauluts to hear, try, and determine any ſuit whatſoever, againſt any perſon or perſons where the cauſe of action ſhall have ariſen before the 19th of Auguſt, one thouſand ſeven hundred and ſixty-five; nor any ſuit whatſoever, where the cauſe of action ſhall have ariſen twelve years before any ſuit ſhall have been commenced for the ſame; unleſs where the complainant can ſhew, by clear and poſitive proof, that he had made demand of the ſum or matter in queſtion, and that the defendant had admitted the truth thereof, or promiſed to pay the money, or directly preferred his claim for the matters in diſpute to a Court of competent juriſdiction to try the ſame, within that period; and prove, to the ſatisfaction of the Court, why he had not proceeded in the ſame; and that, either from a minority, or other good and ſufficient cauſe, he had been precluded from the means of procuring redreſs: Nor any ſuit againſt any Zemindar, Talookdar, Chowdry, or other holder of land, being Malguzary, for any ſum of money or other valuable conſideration, on account of any debt, contract, or duty, contracted by his predeceſſor, unleſs it ſhall be proved, to the ſatisfaction of the Court, that the money, originally lent, or ariſing from ſuch other valuable conſideration, was for the ſervice of the Zemindary, Talookdary, Chowdray, or other land, and actually paid to the Government as part of the revenues thereof: Nor in caſe of part having been paid, to decree the plaintiff more than ſuch part, with intereſt for ſuch part, at the rate hereinafter mentioned; Nor paſs any decree, in any ſuit, againſt any ſuch Zemindar, Talookdar, Chowdray or other landholder, on the proof ariſing from any bond, note, or inſtrument only, without direct proof, to the ſatisfaction of the Court, that the principal ſum ſued for, really, and bona fide, was lent and paid in ready money: Nor to decree any intereſt on any debt due from any ſuch Zemindar, Talookdar, Chowdry, or other landholder, beyond the ſimple intereſt of twelve per Cent per annum, to be calculated from the time the intereſt firſt began to accrue, to the date of the decree: And in caſe

the decree be of ſuch an amount, that the Zemindar, Talookdar, Chowdry, or ſuch other landholder, cannot in the Judge's opinion ſatisfy the ſame immediately without great inconvenience and perſonal diſtreſs, the ſaid Judge is then to order and in his decree to provide, that the ſame be paid by yearly inſtalment, which the Judge, according to his diſcretion, is hereby authorized to limit and appoint: And in the enforcement and execution of ſuch decree, the Judge is to be guided by the ſame Regulations as are in this Code preſcribed for the execution of all other decrees, except in caſes where ſuch judgments paſſed againſt Zemindars, or other landholders, cannot be enforced for want of perſonal property in the party caſt, from any other reſource, or by any other means, than the ſale of their Malguzary lands; in all which caſes the Judges are to report the ſame to the Governor General in Council, who ſhall thereupon order the Board of Revenue, to ſell a ſufficient portion at the expiration of the current Bengal or Fuſſulee year, cancelling the decree, or ſo much thereof as ſhall, by the inſtalment fixed by the Judge for its liquidation, have been due accordingly; an atteſted copy of the decree being for that purpoſe to be delivered to the ſaid Board by the plaintiff or his agent, who in proportion as the ſaid decree ſhall be enforced, either by the immediate authority of the Judge of the diviſion, or by the order of the Governor General in Council to the Board of Revenue, is to ſign a receipt on the back of the decree for every payment; and alſo a correſpondent receipt to be lodged with the defendant, and regiſtered in the Canoongoe office; and the plaintiff, or his Vakeel, is, when the laſt payment ſhall be made, to deliver up to the ſaid Board, or Judge reſpectively, the copy of the decree, with all the receipts indorſed on the ſame in the manner heretofore preſcribed, together with a receipt in full, which ſaid copy of the decree and receipts, the ſaid board are thereupon required to cauſe to be depoſited and kept among the muniments of the Canoongoe office, and the Judge among the records of his Court: nor concerning any debt, contract, bond, or other engagement entered into, or concluded by any ſuch Zemindar, Talookdar, Chowdry, or other land holder, after the firſt of Auguſt, one thouſand ſeven hundred and eighty-one; unleſs it ſhall be proved to the Court, that the ſame ſhall have been contracted with the previous ſanction and conſent of the Committee, or Board of Revenue, and that a note or memorandum, ſpecifying ſuch ſanction and conſent, ſhall have been regiſtered in the Sudder Canoongoe office; nor any debt, contract, bond, or other engagement, entered into or concluded by any ſuch Zemindar, Talookdar, Chowdry, or other land-holder, with any European, or with any native officers employed in the collection of the Revenues, or in any Courts of Juſtice: whether a memorandum of the ſame be, or be not, regiſtered.

XXI. Nor to give any decree in any ſuit by which any intereſt on any ſum ſhall be given above or below the rate of 12 per Cent. per annum, unleſs where a lower rate of intereſt ſhall have been ſpecified between the parties, in all which caſes ſuch particular ſtipulations for lower intereſt to be of courſe adhered to: nor to give any decree in favour of the plaintiff, upon any bond or inſtrument made out ſince the 28th of March 1780,

where greater intereſt than 12 per Cent. per annum ſhall have been reſerved, if any attempt ſhall be made, by any ſhift or device, to elude this regulation, by any deductions from the original loan, under whatever denomination, or any other means whatſoever; nor any other judgment, but for diſmiſſion of the ſuit with coſts, to be paid by the plaintiff: nor to allow or award any greater intereſt on mortgage bonds than is by this rule allowed on other bonds, but to conſider all mortgages as virtually and in effect cancelled and redeemed whenever the principal ſum, with the ſimple intereſt due thereon, ſhall have been realized from the uſufruct of the ſubject mortgaged, or otherwiſe liquidated by the mortgager.

XXII. As the 22d Article of Regulations of July 1781, concluding as follows.

Nor to hear and entertain any cauſe, which from the production of a former decree, or from the records of the ſaid Court, ſhall appear to have been heard and determined by any former Judge, or ſuperintendent then having competent juriſdiction; and if in any caſe a doubt ſhould ariſe reſpecting the competency of the former juriſdiction, the Judges are to report the ſame to the Sudder Dewannee Adaulut, and wait inſtructions.

XXIII. As the 23d Article of ditto ſubſtituting, 'Adaulut of the 24 Pergunnahs' or 'Adaulut at Calcutta,' and concluding as follows.

The juriſdiction of the Adaulut of the 24 Pergunnahs is to extend over Punchawun Gaung, and over all ſuch other parts of the revenue juriſdiction of the Aſſiſtant in the collection of the town of Calcutta, as are not included in the afore deſcribed limits of the local juriſdiction of the Supreme Court.

XXIV. Same with the 24th Article of ditto, See P. 52.

XXV. Same with the 25th Article of ditto, See P. 52.

XXVI. As the 26th Article of ditto, omitting the words 'to which Munſiffs are hereby, or ſhall hereafter, be appointed;' and the words 'or to nominate one perſon from among the Munſiffs to be arbitrator in the cauſe;' alſo the words 'or ſhall nominate a Munſiff to be arbitrator;' and likewiſe 'from among the Munſiffs:' and ſubſtituting 'guilty of any contempt to the arbitrator' for guilty of any contempt to the Munſiff.

XXVII. Same with the 27th Article of ditto.

XXVIII That in complaints brought before any Adaulut in which it ſhall appear either by the application of the Nabob Mobaric ud Dowla, or the repreſentation of the defendant, at or before the time of giving in his or her anſwer, or by the petition of the complainant, that both parties are ſervants or relations of his Excellency the Nabob, or the widows or female deſcendants of the former Nazims of Bengal, ſuch parties ſhall be referred for juſtice to the ſaid Nabob, or to ſuch perſon as he ſhall appoint for the diſpenſation of it; and on any complaints preferred againſt any ſervant or ſervants of his

Excellency, by perſons of a different deſcription, it ſhall be lawful for the Court in which ſuch complaints may be brought, to uſe its diſcretion by referring ſuch cauſes to his Excellency as aforeſaid, or by hearing them in the ordinary manner; taking care at all times, and in all caſes, to pay every proper attention to the dignity and long eſtabliſhed rights of the Nabob, provided always, that in every inſtance where any of the parties ſhall, as plaintiff or defendant, prefer the juriſdiction of the Adaulut to that of the Nabob, the Judge is to proceed to hear and take cognizance of all ſuch cauſes in the uſual manner.

XXIX. Same with the 29th Article of Regulations of July 1781, See P. 58.

XXX. Same with the 30th Article of ditto, See P. 59.

XXXI. That every proceſs, rule, order, or decree of the Moſuſſil Dewannee Adaulut (except in the caſe hereby otherwiſe provided for) ſhall be immediately ſerved &c. (as in the 31ſt Article of ditto.) See P. 60.

XXXII. That when the attendance of any perſons as parties to any ſuit, or as witneſſes therein, who may be reſiding without the limits of the juriſdiction of the Adaulut, ſhall be required, the Judge of the Adaulut trying the cauſe ſhall addreſs the Judge in whoſe juriſdiction they reſide, requiring him to order their attendance, and he is directed to attend to ſuch requiſition without any further delay, than may be abſolutely neceſſary to provide for the ſecurity and collection of the revenues, during their abſence, in caſe they ſhould be concerned therein.

XXXIII. As the 33d Article of Regulations of July 1781, (See P. 61.) with the following addition at the cloſe: 'over and above the amount of the current Kiſts of Government's revenue, which he is to pay to the Collector of the diſtrict, in which ſuch Zemindary, Talookdary, and Chowdray, or other land, may be ſituated.'

XXXIV. That the ſeveral Regiſters of the Moſuſſil Dewannee Adaulut do keep a ſeparate cauſe-book, &c. (as in the 34th Article of ditto.) See P. 63.

XXXV. That in all caſes of diſputed property regarding lands, houſes, or the limits, boundaries, or land-marks of the ſame, where a local inveſtigation may be deemed proper, an Aumeen ſhall be appointed by the Court, &c. (as in the 35th Article of ditto.) See P. 63.

XXXVI. Same with the 36th Article of ditto, See P. 64.

XXXVII. As the 37th Article of ditto, concluding as follows:

'But that in caſes of ſucceſſion to Zemindaries, Talookdaries, and Chowdraies, the Judge do alſo aſcertain whether they have been regulated by any general uſage of the Pergunnah, where the diſputed land is ſituated, or by any particular uſage of the family ſuing, and do conſider in his deciſion the weight due to the evidence on this head.'

XXXVIII. That whenever a Britiſh ſubject, or any perſon under whatever deſcription, not being amenable to the juriſdiction of the Dewannee Courts, ſhall inſtitute a ſuit in any Dewannee Adaulut, againſt a perſon duly amenable to it, it ſhall be required that beſides the depoſiting the fee enjoined by the Judicial Regulations, he ſhall alſo ſign an inſtrument according to the form hereinafter recited, in the nature of a bond of arbitration, declaring himſelf ſubject to the juriſdiction of the Court, for ſo much as ſhall relate to the ſuit in queſtion, and bind himſelf to abide by the award or decree of the Court, in the ſame manner and to the ſame extent as the juriſdiction of the Court is valid againſt the defendant, and if ſuch plaintiff ſhall refuſe to execute ſuch an inſtrument the plaint ſhall not be received nor filed.

KNOW ALL MEN by theſe preſents that I
of am held and firmly
bound unto of Eſquire
Judge of the Dewannee Adaulut at in the
province of in the ſum of
to be paid to the
ſaid his executors,
adminiſtrators, or aſſigns, for which payment well and truly to be made, I do hereby bind myſelf, my heirs, executors, and adminiſtrators, firmly by theſe preſents, ſealed with my ſeal, dated this day of
in the year of Chriſt one
thouſand ſeven hundred and

WHEREAS the above bound hath on the day of the date hereof commenced an action, cauſe, or ſuit, in the ſaid Dewannee Adaulut before the ſaid.

againſt

NOW the condition of this obligation is ſuch, that if the ſaid
his heirs, executors and adminiſtrators, and every of them, do and ſhall on his and their parts and behalves, in all things well and truly ſtand to obey, abide, obſerve, perform, and fulfil, all ſuch final judgment and judgments, order and orders, decree and decrees, as ſhall or may be at any time given in the ſaid action, cauſe, or ſuit, in the ſaid Court of Dewannee Adaulut at

(and confirmed on appeal, if the ſame ſuit or cauſe ſhall be appealed) then this obligation to be void, or elſe to remain in full force and virtue.

Sealed and Delivered, (where no ſtamps are in uſe or to be had) in the preſence of

XXXIX. Same with the 38th Article of Regulations of July 1781, See P. 64.

XL. Same with the 40th Article of ditto, See P. 65.

XLI. That if any perſon or perſons be guilty of any contempt to the Court in open Court, or of undue arrogations of the authority of the Dewannee Adaulut, or illegal exertions of judicial authority in their own cauſes, the Court may immediately puniſh ſuch perſon or perſons by a fine or fines not exceeding two hundred Rupees each, and by holding ſuch perſon or perſons in cuſtody till ſuch fine or fines ſhall be paid; due reſpect being had to the rank and circumſtances of the perſon or perſons thus offending in reſpect to the amount of the fine.

XLII. Same with the 42d Article of Regulations of July 1781, See P. 65.

XLIII. Same with the 43d Article of ditto, See P. 66.

XLIV. As the 44th Article of ditto, inſerting after 'Lakarage lands at ten times the amount of their annual produce,' 'Ayma lands paying a quit-rent to Government at twenty times the amount of their annual quit-rent.'

XLV. Same with the 45th Article of Regulations of July 1781, See P. 66.

XLVI. Same with the 46th Article of ditto, See P. 67.

XLVII. Same with the 47th Article of ditto, See. P. 67.

XLVIII. Same with the 48th Article of ditto, See. P. 68.

XLIX. Same with the 49th Article of ditto, See P. 68.

L. As the 50th Article of ditto, but with a concluding addition as follows, 'and that the value of the thing decreed be in all caſes ſpecified with as much accuracy as poſſible in ſuch decrees, to be delivered to the parties; that is to ſay, if the ſubject of the decree be Malguzary land, that its annual Jumma payable to Government be ſpecified; and if Ayma or rent-free land, its annual produce; and if houſe or houſes, or mere perſonal property, the worth thereof according to the neareſt eſtimate.'

LI. That in every Moſuſſil Dewannee Adaulut a book be kept, in which &c (as the 51ſt article of Regulations of July, 1781). See P. 69.

LII. That each Judge ſhall cauſe to be kept an abſtract regiſter in the Engliſh language, a ſummary account &c. (as the 52d article of Regulations above cited). See P. 69.

LIII. That the decree of the Moſuſſil Dewannee Adaulut ſhall be final in all cauſes where the decree is, or ſhall be, for any Zemindary, Talookdary, Chowdray, other land or houſe being Lakarage, the annual produce whereof ſhall not exceed the ſum of one hundred Sicca Rupees; and where the decree is, or ſhall be, for any Ayma land paying

a quit-rent to Government, not exceeding the annual amount of fifty Rupees; and where &c. (as in the 53d article of Regulations of July 1781, with a ſimilar ſubſequent inſertion of the words 'or being Malguzary Ayma, of which the annual quit-rent to Government ſhall exceed fifty Rupees).' See P. 70.

LIV. That the Judge of ſuch Mofuſſil Dewannee Adaulut ſhall, within fifteen days next after the receipt of ſuch appeal, certify under his hand and ſeal of his Court, to the Regiſter of the Sudder Dewannee Adaulut, the record &c. (as the 54th article of Regulations of July 1781). See P. 71.

LV. As the 55th article of Regulations of July 1781, except 'witneſſed and ſigned by the Regiſter,' inſtead of 'witneſſed by the Judge and ſigned by the Regiſter.'

LVI. That the Judges of the Mofuſſil Dewannee Adauluts of the three cities of Patna, Moorſhedabad, and Dacca, and theſe only, be allowed to deduct 10 per cent. from the depoſites which ſhall be paid into their reſpective Courts, and apply the ſame to their own uſe; And that the Judge of every Court of Mofuſſil Dewannee Adaulut do keep a faithful account of the depoſites paid at the commencement of each cauſe, and of all fines impoſed by the Court, and do tranſmit to the Regiſter of the Sudder Dewannee Adaulut, at the expiration of every month, to be calculated from the firſt day of April, a true and authentic copy of ſuch account, ſigned with his own proper hand, together with the monies ariſing from ſuch depoſites and fines, ſuch deduction being firſt made as herein before authorized.

LVII. Same with the 58th Article of Regulations of July 1781, See P. 74.

LVIII. As the 59th Article of ditto, except 'the Sudder Dewannee Adaulut' for 'the Judge of the Sudder Dewannee Adaulut.'

LIX. Same with the 60th Article of ditto, See P. 74.

LX. As the 61ſt Article of ditto, omitting the words, 'witneſſed by the Judge thereof.'

LXI. As the 52d Article of ditto, omitting the words 'the Judge of.'

LXII. That the Nazir of the Court of Sudder Dewannee Adaulut be authorized to appoint his own Naib, the Peons of the Court, and the Mirdah of the Goal; and that the Court may take ſuch Mochulka from the Nazir, and other native officers of the Court, as any Judge of Mofuſſil Dewannee Adaulut is authorized to take from any Nazir, or other native officer, of any Mofuſſil Dewannee Adaulut.

LXIII. As the 65th Article of Regulations of July 1781, omitting the words 'the Judge of.'

LXIV. Same with the 66th Article of ditto, See P. 75.

LXV. As the 67th Article of ditto, except 'Governor General in Council' for Governor General and Council.'

LXVI. As the 68th Article of ditto, ſubſtituting 'Governor General in Council' for Governor General and Council' and omitting the words 'which ſaid entries ſhall ſeveraly be authenticated by the ſignature of the Judge.'

LXVII. That the following table of fees be eſtabliſhed for the Regiſter, Tranſlators, and native officers of the Sudder Dewannee Adaulut: approved by the Governor General in Council, on the 25th of May 1787 (ſhould be 1781).

See table of fees in the Supplement to the Regulations of July 1781, Article 2. (P. 76)

Provided always, that the preceding fees are not to be exacted from ſuch perſon or perſons, who ſhall or may be excuſed on account of poverty from paying the depoſite fee. But if the party, ſo excuſed, ſhall ſucceed in his appeal, ſuch coſts ſhall be included in the decree, and be received by the ſeveral officers entitled thereto.

That one copy of the above table of fees in the Engliſh language, and a faithful tranſlation thereof in the Perſian and Bengal languages, written in a legible hand, be affixed in ſome conſpicuous place in the room where the Sudder Dewannee Adaulut ſhall be held. That the ſeveral clerks and officers, to whom any fee is given and allowed by the ſaid table, may reſpectively demand and receive the ſame; but that no officer, or any other perſons concerned in the adminiſtration of juſtice in the Sudder Dewannee Adaulut, do demand or accept any fee or fees, ſum or ſums of money, reward or gratuity, other than the fees authorized by ſuch table, under pain of incurring the like penalties, forfeitures, and judgments, as are herein before directed to be recovered, and given againſt officers or clerks, or other perſons concerned in the adminiſtration of juſtice in any Moſuſſil Dewannee Adaulut, who ſhall in like manner offend in this behalf.

LXVIII. As the 70th Article of Regulations of July 1781; but concluding as follows, 'and that the Court of Sudder Dewannee Adaulut be authorized to make ſuch reaſonable adjournments as conſiſtently with the buſineſs thereof may be deemed expedient.

LXIX. Same with the 71ſt Article of ditto, See P. 77.

LXX. Same with the 72d Article of ditto, See P. 77.

LXXI. Same with the 73d Article of ditto, See P. 77.

LXXII. As the 74th Article of ditto, ſubſtituting 'any Collector of the revenues having Adaulut juriſdiction' for any 'Collector of revenues at &c.' and inſerting, the words 'or fifty Rupees, if Malguzary Ayma,' after the words 'if the Jumma or annual revenue to Government ſhall exceed 1000 Sicca Rupees,' and ſubſtituting 'was preſented to the Sudder Dewannee Adaulut on or before 1ſt February 1782,' for 'be preſented &c.'

LXXIII. Same with the 75th Article of ditto, See P. 79.

LXXIV. Same with the 76th Article of ditto, except 'Governor General in Council' for 'Governor General and Council.'

LXXV. As 77th Article of ditto, ſubſtituting generally 'the Court of Sudder Dewannee Adaulut' for 'Judge of the Sudder Dewannee Adaulut' omitting the words 'atteſted by the Judge thereof:' and altering the concluding proviſions of the article, as follows, 'and ſhall, on requiſition of the Governor General in Council, tranſmit to them all ſuch papers and proceedings in the cauſe, which they may eſteem neceſſary for their inveſtigation; 'the Sudder Dewannee Adaulut is hereby authorized, in any caſe where any ſum of money is decreed to be paid by any Zemindar, Talookdar, or Chowdry, to iſſue an order to the proper Moſuſſil Dewannee Adaulut, to execute the ſame, in like manner as the Courts of Moſuſſil Dewannee Adaulut are herein before authorized to execute decrees, where any ſum of money is decreed to be paid by any Zemindar, Talookdar, Chowdry, or other landholder: and in caſe of the inability of the Judge of ſuch Moſuſſil Adaulut, to execute ſuch decree from any other reſource, or by any other means, than by a ſale of an adequate portion of ſuch Zemindar's, or other landholder's, Malguzary lands; and of his adviſing the Governor General in Council thereof; the Board of Revenue is hereby required to execute ſuch decree of the Sudder Dewannee Adaulut, on notice and requiſition from the Governor General in Council, in like manner as they are before required to execute the decrees of the Moſuſſil Dewannee Adauluts in like caſes.'

LXXVI. Same with the 77th Article of ditto, See P. 79.

LXXVII. Same with the 78th Article of ditto, See P. 80.

LXXVIII. As the 80th Article of ditto, ſubſtituting 'Court of Sudder Dewannee Adaulut' for 'Judge of Sudder Dewannee Adaulut.'

LXXIX. Same with the 81ſt Article of ditto, See P. 81.

LXXX. Same with the 82d Article of ditto, See P. 81.

LXXXI As 83d Article of ditto, except 'Governor General in Council' for 'Governor General and Council,' and 'Court of Sudder Dewannee Adaulut' for 'Judge of Sudder Dewannee Adaulut.'

LXXXII. As the 84th Article of ditto, except 'Governor General in Council,' for 'Governor General and Council.'

LXXXIII. As the 85th Article of ditto, ſubſtituting 'Governor General in Council; for 'Governor General and Council;' 'Court of Sudder Dewannee Adaulut' for 'Judge of Sudder Dewannee Adaulut;' and making the following addition, after the words, all rents, iſſues, and profits, which ſhall have accrued during the time ſuch Zemindary, Talookdary, Chowdray, or other land ſhall have been ſequeſtered,' 'over and above the amount of the

current Kiſts of Government's revenue, which he is to pay to the Collector of the diſtrict where ſuch Zemindary, Talookdary, Chowdray, 'or other land may be ſituated.'

LXXXIV. As the 86th Article of ditto, with the following addition 'and that the petition for leave to appeal be in all caſes accompanied by an atteſted copy of the provincial decree, or by a Mochulka ſigned by the party deſirous to appeal, that ten days after the deciſion he applied to the Provincial Judge for ſuch decree and was denied it.'

LXXXV. Same with the 87th Article of ditto, See P. 84.

LXXXVI. Same with the 88th Article of ditto, See P. 84.

LXXXVII. That accurate accounts be made out by the Regiſter of the Sudder Dewannee Adaulut, of all ſums of money, as well received from the Moſuſſil Dewannee Adaulut, as in the Sudder Dewannee Adaulut, on account of depoſites. That the Court of Sudder Dewannee Adaulut do, after the expiration of every three months, tranſmit a true copy of the ſame, ſigned by the Regiſter, to the Governor General in Council; and that he cauſe the ſaid ſums to be carefully kept in cheſts, provided for that purpoſe, the key of which ſhall be kept by the Regiſter; and that all ſuch monies ſhall be and remain at the diſpoſal of the Governor General in Council; and that the Court of Sudder Dewannee Adaulut, and the Regiſter ſhall obey all ſuch orders, reſpecting the payment and diſpoſal of ſuch monies, as they ſhall, from time to time, receive, ſignified to them by order of the Governor General in Council; and ſuch orders of the Governor General in Council ſhall be a ſufficient acquittal and diſcharge to the ſaid Court and Regiſter, for all ſums paid by virtue of ſuch orders.

LXXXVIII. As the 90th Article of Regulations of July 1781, (ſubſtituting 'Court of Sudder Dewannee Adaulut' for 'Judge of the Sudder Dewannee Adaulut.)'

LXXXIX. Same with the 91ſt Article of ditto, See P. 85.

XC. Same with the 93d Article of ditto, See P. 85.

XCI. Same with the 94th Article of ditto, See P. 85.

(NOTE.)

The Judicial Regulations of 27th June, 1787, were printed at large and publiſhed in that year. To avoid needleſs repetition, they have been here abridged, by inſerting in many places references to the Regulations of 1781, inſtead of reprinting in this collection the ſame articles, which have before appeared in the ſame words.

The Perſian tranſlation, 'reviſed and adapted to the Engliſh code by MR. J. H. HARINGTON,' was printed at the Honorable Company's Preſs and publiſhed in 1787: and the Bengal tranſlation, ſimilarly 'reviſed and adapted to the Engliſh code by MR. G. C. MEYER,' was likewiſe publiſhed in the ſame year.

Alterations and modifications of the foregoing Regulations, printed and publiſhed in ſubſequent years, are here ſubjoined.

Extract from the Reſolutions of the Governor General in Council, in the Revenue Department, under date the 19th Auguſt 1789.

Reſolved, that the 21ſt Article of the Judicial Regulations paſſed on the 27th June 1787, be annulled, and that the following article be adopted in lieu thereof.

ART. 21ſt. Nor to give any decree in any ſuit, where the cauſe of action ſhall have ariſen before the twenty-eighth of March, one thouſand ſeven hundred and eighty, by which any intereſt on any ſum ſhall be given above the rates following: viz. On ſums, not exceeding one hundred Rupees principal, an intereſt of three Rupees two Annas per menſem, or half an Anna in the Rupee; on ſums above one hundred Rupees principal, an intereſt of two Rupees per cent. per menſem; ſo that the principal and intereſt be diſcharged according to the condition of the bond: Nor to give any compound intereſt ariſing from any intermediate adjuſtment of accounts: Nor in any ſuit commenced ſince the twenty-eighth of March, one thouſand ſeven hundred and eighty, any higher intereſt than two per cent. per menſem, or twenty-four per cent. per annum, where the principal ſum ſhall be under one hundred Rupees: Nor more than one per cent. per menſem, or twelve per cent. per annum, where the principal ſum ſhall exceed one hundred Rupees: Nor any intereſt whatſoever, where the bond, or inſtrument given for the ſecurity or evidence of any debt, contract or engagement, if made before the twenty-eighth of March, one thouſand ſeven hundred and eighty, ſhall ſpecify a higher intereſt than the rates eſtabliſhed for debts and duties due before that period: Nor, if ſuch bond or inſtrument ſhall have been made after the twenty-eighth of March, one thouſand ſeven hundred and eighty, any higher rate of intereſt than that eſtabliſhed for debts and duties ſince that time: Nor to give any decree in favour of the plaintiff, where ſuch laſt mentioned greater intereſt ſhall have been received, * if any attempt ſhall be made, by any ſhift or device, to elude this Regulation, by any deductions from the original loan, under whatever denomination, or any other means whatſoever: Nor any other Judgment, but for the diſmiſſion of the ſuit with coſts, to be paid by the plaintiff: Nor to allow or award any greater intereſt on mortgage bonds than is by this rule allowed on other bonds, but to conſider all mortgages as virtually and in effect cancelled and redeemed, whenever the principal ſum, with the ſimple intereſt due thereon, ſhall have been realized from the uſufruct of the ſubject mortgaged, or otherwiſe liquidated by the mortgager.

Extract from the Proceedings of the Governor General in Council, under date the 23d of June 1790.

Reſolved, that the 38th Article of the exiſting Judicial Regulations be declared, not to extend to Covenanted ſervants of the Company, who may inſtitute ſuits in the Courts of Dewannee Adaulut on the part of Government.

* So the publiſhed copy; apparently by miſtake for 'reſerved.'

Extract from the Proceedings of the Governor General in Council, in the Revenue Department, under date the 27th October 1790.

That the Sudder Dewannee Adaulut, upon confirming a decree paſſed in any of the Mofuſſil Courts, do award to the party, in whoſe favor ſuch decree ſhall have been made, intereſt at the rate of twelve per cent. per annum on the principal of the ſum decreed, from the date of the decree of the Mofuſſil Court, until the date of its confirmation in appeal.

Extract from the Proceedings of the Governor General in Council, in the Revenue Department, under date the 28th October 1790.

That the following clauſe in the 25th Article of the Regulations for the adminiſtration of juſtice be reſcinded: "And if the intereſt on any loan has accumulated ſo as to "exceed the principal, may, according to his diſcretion on a review of the circumſtances "of the debtor, decree the payment according to this known and eſtabliſhed cuſtom of "the country, namely, where the intereſt has accumulated ſo as to exceed the princi-"pal, to reduce it to one half of the principal, or where the intereſt has exceeded one "half of the principal, to reduce it to a quarter."

Extract from the Proceedings of the Governor General in Council, in the Revenue Department, under date the 29th October 1790.

That the following clauſe in the 20th Article of the Regulations for the adminiſtration of juſtice be reſcinded: "nor concerning any debt, contract, bond, or other en-"gagement entered into, or concluded by, any ſuch Zemindar, Talookdar, or other "landholder, after the firſt of Auguſt one thouſand ſeven hundred and eighty-one, unleſs "it ſhall be proved to the Court that the ſame ſhall have been contracted with the pre-"vious ſanction and conſent of the Committee or the Board of Revenue, and that a "note or memorandum ſpecifying ſuch ſanction and conſent ſhall have been regiſtered in "the Sudder Canongoe Office."

Extract from the Proceedings of the Governor General in Council, in the Revenue Department, under date the 30th October 1790.

That the following clauſe in the 21ſt Article of the Regulations for the adminiſtration of Juſtice, "nor to give any decree in favor of the plaintiff upon any bond or "inſtrument made out ſince the 28th March 1780, where greater intereſt than twelve "per cent. per annum ſhall have been reſerved, if any attempt ſhall be made by any ſhift "or device to elude this Regulation by any deductions from the original loan under "whatever denomination or any other means whatſoever;" Be reſcinded, and, that the following clauſe be ſubſtituted in lieu thereof, viz. nor to give any decree in

favor of the plaintiff upon any bond or inſtrument made out ſince the 28th March 1780, in which a greater intereſt than twelve per cent. per annum ſhall be ſpecified, or where a greater intereſt than twelve per cent. per annum ſhall have been reſerved, if any attempt ſhall be made by any ſhift or device to elude this Regulation by any deductions from the original loan under whatever denomination or any other means whatſoever.

Extract from the Proceedings of the Governor General in Council, in the Revenue Department, under date the 31ſt October 1790.

That the following clauſe in the 21ſt Article of the Regulations for the adminiſtration of juſtice, "nor to allow or award any greater intereſt on mortgage bonds than is allowed "on other bonds, but to conſider all mortgages as virtually and in effect cancelled and "redeemed whenever the principal ſum with the ſimple intereſt due thereon ſhall have "been realized from the uſufruct of the ſubject mortgaged or otherwiſe liquidated by the "mortgager." Be reſcinded, and that the following Regulation be adopted in lieu thereof.

That the uſufruct of mortgaged property be allowed to the mortgagee in lieu of intereſt agreeable to the eſtabliſhed cuſtom of the country, until the 28th March 1780, from which period the ſame intereſt ſhall be allowed on mortgage bonds as is allowed on other bonds, and no more; and all mortgages ſhall be conſidered as virtually and in effect cancelled and redeemed whenever the principal ſum with the ſimple intereſt due thereon ſhall have been realized from the uſufruct of the ſubject mortgaged or otherwiſe liquidated by the mortgager. In all proſecutions for the adjuſtment of accounts of mortgages the mortgagee ſhall deliver in upon oath an account of his groſs receipts from the property mortgaged, and alſo of the expenditure therefrom, which ſhall be delivered to the mortgager for ſuch remarks as he may have to make thereon, and the Judge after hearing the evidence of the parties ſhall award accordingly.

Extract from the Reſolutions of the Governor General in Council, in the Revenue Department, under date the 8th April 1791.

That the Plaintiff, upon inſtituting a ſuit in a Moſuſſil Dewannee Adaulut, ſhall defray all coſts attending the inſtitution of ſuch ſuit, and for every proceſs iſſued in his behalf, until he ſhall have eſtabliſhed his claim or demand againſt the defendant, when he ſhall be entitled to reimburſement of the expences which may have been legally incurred by him, throughout the proſecution of his ſuit, from the defendant: and the amount of ſuch expences ſhall be according'y adjudged to him, and ſhall be ſpecified and included in the decree of the Court.

Rule to ſtand as the 21ſt Article of the Judicial Regulations — Paſſed by the Governor General in Council in the Revenue Department, under date the 23d November, 1792.

ART. 21. Nor to give any decree in any ſuit, where the cauſe of action ſhall have ariſen before the 28th March 1780, by which an intereſt on any ſum ſhall be given, above the rates following, viz.

On ſums not exceeding one hundred Sicca Rupees, three Rupees and two Annas per menſem, or thirty-ſeven Rupees and eight Annas per cent. per annum.

On ſums exceeding one hundred Sicca Rupees, two per cent. per menſem, or twenty-four per cent per annum.

Nor where the cauſe of action ſhall have ariſen at any period of time between the 28th of March 1780, and the 1ſt day of January 1793, an higher rate of intereſt than the following, viz.

On ſums not exceeding one hundred Sicca Rupees, one per cent. per menſem, or twelve per cent. per annum

Nor where the cauſe of action ſhall have ariſen after the 1ſt day of January 1793, any intereſt on any ſum whatſoever above or below the rate of twelve per cent. per annum, unleſs where a lower rate of intereſt ſhall have been ſpecified between the parties; in all which caſes, ſuch particular ſtipulations for lower intereſt ſhall be adhered to.

Nor to decree in any cauſe where the intereſt on any debt, ſhall according to the rates hereby allowed, have accumulated ſo as to exceed the principal, a greater ſum for intereſt than the amount of the principal.

Nor to give any compound intereſt ariſing from any intermediate adjuſtment of accounts.

Nor to decree any intereſt whatſoever in any caſe where the bond or inſtrument, given for the ſecurity and evidence of the debt, ſhall ſpecify an higher rate of intereſt than is warranted by this Regulation.

Nor to give any decree whatſoever in favor of the plantiff in any caſe, where a greater intereſt than is above warranted ſhall have been received, if it is proved that any attempt has been made to elude this Regulation by any deduction from the original loan, under whatever denomination, or by any other means whatſoever; nor any other judgment, but for the diſmiſſion of the ſuit with coſts to be paid by the plaintiff.

---

* So the publiſhed copy:- but ſhould have been, as in the printed Regulations of 1ſt May 1793.

On Sums not exceeding one hundred Sicca Rupees, two per cent. per menſem, or twenty five per cent per annum.

On ſums exceeding one hundred Sicca Rupees, one per cent. per menſem, or twelve per cent per annum.

And in cases of mortgages, it is ordered, that the usufruct of mortgaged property be allowed to the mortgagee in lieu of interest, agreeable to the established custom of the country until the 28th. of March 1780, from which period the same interest shall be allowed on mortgage bonds, as is allowed on other bonds and no more; and all mortgages shall be considered as virtually and in effect cancelled and redeemed, whenever the principal sum, with the simple interest due thereon, shall have been realized from the usufruct of the subject mortgaged, or otherwise liquidated by the mortgager.

In all prosecutions for the adjustment of accounts of mortgages, the mortgagee shall deliver in upon oath an account of his gross receipts from the property mortgaged, and also of the expenditure therefrom, which shall be delivered to the mortgager, for such remarks as he may have to make thereon, and the Judge after hearing the evidence of the parties shall award accordingly.

REGULATIONS

FOR THE

ADMINISTRATION OF JUSTICE

IN THE CRIMINAL COURTS.

(NOTE) The General Regulations, passed in 1772 (See P. 1), comprehend rules, for the administration of justice in Criminal Courts, which have been already inserted with those for Civil Courts. The Regulations of April 1781 (See P 27.) likewise include rules concerning the department of Criminal Justice; but which have been reserved for insertion in this place, after the intermediate arrangements for the removal of the Nizamut Adaulut to Calcutta, and its subsequent re-establishment at Moorshedabad under the Naib Nazim.

Extract of a Letter from WARREN HASTINGS, Esq. President of the Council dated 10th July 1773, recorded on the proceedings of Council 3d. August 1773.

The term Decoit in its common acceptation is too generally applied to robbers of every denomination, but properly belongs only to robbers on the highway, and especially to such as make it their profession, of whom there are many in the woody parts of the district of Dacca, and on the frontiers of the province; a race of outlaws who live from father to son in a state of warfare against society, plundering and burning villages, and murdering the inhabitants.* These were intended by the Board in the 35th Article of their Judicial Regulations, which declares that all such offenders shall suffer death, and their families be condemned to perpetual slavery.

Severe and unjust as this ordinance may seem, I am convinced that nothing less than the terror of such a punishment will be sufficient to prevail against an evil which has obtained the sanction and force of hereditary practice, under the almost avowed protection

* See P. 7.

both of the Zemindars of the country, and the firſt officers of the government. Yet if a careful diſtinction be not made, the Raiat, who impelled by ſtrong neceſſity in a ſingle inſtance invades the property of his neighbour, will with his family fall a ſacrifice to this law, and be blended in one common fate with the profeſſed Decoit or the murderer. In the Foujedarry trials nothing appears but the circumſtances of the robbery for which the priſoner is arraigned. That he is a Decoit is taken upon preſumption, and all the world are his enemies.

The Moulavies in the Provincial Courts refuſe to paſs ſentence of death on Decoits unleſs the robbery committed by them has been attended with murder. They reſt their opinion on the expreſs law of the Coran which is the infallible guide of their deciſions. The Court of Nizamut, under whoſe review the trials paſs, and whoſe province it is to prepare the Futwas for the final ſentence and warrant of the Nazim, being equally bound to follow the Mahomedan law, confirm the judgment of the Provincial Court.

The Mahomedan law is founded on the moſt lenient principles, and an abhorrence of bloodſhed. This often obliges the ſovereign to interpoſe, and by his mandate to correct the imperfection of the ſentence, to prevent the guilty from eſcaping with impunity, and to ſtrike at the root of ſuch diſorders as the law will not reach. It is worthy of remark, that the inſtances, which are recorded in hiſtory of ſtrict and exemplary juſtice in the princes of that religion, are all of the moſt ſanguinary kind, and inflicted without regard to the law, and generally without any regular proceſs or form of trial.

I ſhould be ſorry to recommend an example of ſuch rigor for the practice of our government. I mean only by this ſhort diſcuſſion to ſhow, that it is equally neceſſary and conformable to cuſtom for the ſovereign power to depart in extraordinary caſes from the ſtrict letter of the law, and to recommend the ſame practice in the caſes now before us.

I offer it therefore as my opinion, that the puniſhments decreed by this government againſt profeſſed and notorious robbers be literally enforced; and where they differ from the ſentences of the Adaulut, that they be ſuperadded to them by an immediate act of government; that every convicted felon, and murderer, not condemned to death by the ſentence of the Adaulut, and every criminal who has been already ſentenced either to work during life upon the roads, or to ſuffer perpetual impriſonment, be ſold for ſlaves, or tranſported as ſuch to the Company's eſtabliſhment at Fort Marlborough; and that this Regulation be carried into execution by the immediate orders of the Board, or by an office inſtituted for that purpoſe in virtue of a general order or commiſſion from the Nazim. By this means the government will be releaſed from a heavy expenſe in erecting priſons, keeping guards in monthly pay, and in the maintenance of accumulating crouds of priſoners. The ſale of the convicts will raiſe a conſiderable fund, if theſe diſorders continue. If not, the effect will be yet more beneficial. The community will ſuffer no loſs by the want of ſuch troubleſome members, and the puniſhment

will operate as an example much more forcible and useful than imprisonment, fines, or mutilation. The former, to a people addicted to their ease, and who see in such a condition only an exemption from the necessity of daily labor, loses much of its terror: Fines fall with unequal weight on the wealthy and on the indigent. They are unfelt by the first; they prove equivalent to utter ruin or perpetual imprisonment to the last. And mutilation, which is too common a sentence to the Mahommedan Courts, though it may deter others, yet renders the criminal a burthen of the public, and imposes on him the necessity of persevering in the crimes which it was meant to repress.

I beg leave to subjoin the following queries for your determination, as they have occurred to me in the proceedings of the Adaulut already referred to. I have annexed my opinion to each.

1st. Whether the Futwa or decree of the Nizamut Adaulut, after it shall have received the confirmation of the Nazim, shall be carried into execution precisely in the terms of his warrant, or whether this Government shall interfere in adding to, or commuting, the punishment in cases wherein it shall appear inadequate to the crime, or ineffectual as a check?

Although we profess to leave the Nazim the final Judge in all criminal cases, and the officers of his Courts to proceed according to their own laws, forms and opinions, independent of the controul of this Government; yet many cases may happen, in which an invariable observance of this rule may prove of dangerous consequence to the power by which the Government of this country is held, and to the peace and security of the inhabitants. Wherever such cases happen, the remedy can only be obtained from those in whom the sovereign power exists. It is on these, that the inhabitants depend for protection, and for the redress of all their grievances, and they have a right to the accomplishment of this expectation, of which no treaties nor casuistical distinctions can deprive them. If therefore the powers of the Nizamut cannot answer these salutary purposes; or, by an abuse of them, which is much to be apprehended from the present reduced state of the Nazim, and the little interest he has in the general welfare of the country, shall become hurtful to it; I conceive it to be strictly conformable to justice and reason to interpose the authority or influence of the Company, who as Dewan have an interest in the welfare of the country, and as the governing power have equally a right and obligation to maintain it. I am therefore of opinion, that wherever it shall be found necessary to supersede the authority of the Nazim, to supply the deficiences or to correct the irregularities of his Courts, it is the duty of this Government to apply such means as in their judgment shall best promote the due course and ends of justice; but that this license ought never to be used without an absolute necessity, and after the most solemn deliberation.

In many caſes it may not be difficult to obtain the Nabob's warrant for ſuch deviations from the ordinary practice, as may be requiſite; and it were to be wiſhed, that they could be always enforced by his authority; but I ſee ſo many ill conſequences, to which this would be liable, both from his aſſent and from his refuſal, that I am rather inclined to propoſe, that every act of this kind be ſuperadded to his ſentence by our own Government.

Although this is my opinion upon the queſtion as it reſpects the rights of juſtice, and the good of the people, I am ſorry to add, that every argument of perſonal conſideration ſtrongly oppoſes it, having but too much reaſon to apprehend, that while the popular current prevails, which over-runs every ſentiment of candor towards the Company and its agents, it will be dangerous both to our characters and fortunes to move a ſtep beyond the plain and beaten line; and that, laudable as our intentions were, we have already done too much.

My duty compels me to offer the advice, which I have given; and to that I poſtpone every other conſideration.

2d. Whether the diſtinction which is made by the Mahommedan law between murder perpetrated with an inſtrument formed for ſhedding blood, and death cauſed by a deliberate act, but not by the means of an inſtrument formed for ſhedding blood, ſhall be admitted, and whether the fine impoſed on the latter ſhall be allowed as a ſufficient puniſhment?

If the intention of murder be clearly proved, no diſtinction ſhould be made with reſpect to the weapon by which the crime was perpetrated. The murderer ſhould ſuffer death, and the fine be remitted. I am juſtified in this opinion by good authorities even among the Muſſulmans, although the practice is againſt it. I will venture to appeal to the abſtract of the proceedings which accompanies this for a proof of the inequality and injuſtice of the deciſions founded on this ſtrange diſtinction, beſides the evil tendency which it derives from the little dread which an indigent offender feels of a penalty which he knows can never be literally inflicted upon him; and which I fear is frequently the cauſe of murder, as it ſerves to ſcreen the crime of robbery with no additional conſequence to the criminal. I beg leave to quote an inſtance in the proceedings above referred to. A man held the head of a child under water till it was ſuffocated, and made a prize of her clothes and the little ornaments of ſilver which ſhe wore. It was evident, that his object was no more than robbery, and murder the means both of perpetrating and concealing it. There is too much cauſe alſo to ſuſpect the extraordinary manner in which the murder was committed was ſuggeſted by the diſtinction made by the law in queſtion, by which he was liable to no ſeverer retribution than for the ſimple robbery; whereas he would have been ſentenced to ſuffer death, had he killed the deceaſed with a knife or a ſword, although he might have been impelled to it by ſud-

den paſſion and not premeditated deſign. Yet for this horrid and deliberate act he is pronounced guilty of manſlaughter only, and condemned to pay the price of blood which ſeems invariably fixed at the ſum of 3333, 5, 4.

3d. Whether the puniſhment decreed by the 35th Article of the Judicial Regulations formed by the Board, ſhall be carried into execution without the ſentences of the Nizamut Adaulut, or the warrant of the Nazim; and in what manner?

Upon this queſtion I have already declared my opinion in the affirmative. I would recommend that every caſe, to which this ordinance may be applied, be laid before the Board, and their ſanction obtained for its being carried into execution. I ſubmit it to their conſideration, whether it may not be expedient to appoint ſome office which ſhall have it in eſpecial charge to record ſuch extraordinary proceedings, to prepare them for the judgment of the Board, and to execute their orders upon them.

4. Whether the privilege granted by the Mahommedan law to the ſons or neareſt of kin, to pardon the murderers of their parents or kinſmen, ſhall be allowed to continue in practice,) or in what manner the Government ſhall proceed in caſes of this kind, if it ſhall be judged expedient to make an example of the criminals in oppoſition to the letter of the law, and the ſentences of the Court of the Adaulut?)

This law, though enacted by the higheſt authority which the profeſſors of the Mahommedan faith can acknowledge, appears to be of barbarous conſtruction, and contrary to the firſt principle of civil ſociety, by which the ſtate acquires an intereſt in every member which compoſes it, and a right in his ſecurity. (It is a law, which, if rigidly obſerved, would put the life of every parent in the hands of his ſon, and by its effect on weak and timid minds, which is the general character of the natives of Bengal, would afford a kind of pre-aſſurance of impunity in thoſe who were diſpoſed to become obnoxious to it.)

If the Nazim cannot be influenced to aboliſh totally this ſavage privilege, which we know is not univerſally admitted, or the Courts of juſtice to diſuſe it, I am of opinion that the Government ſhould interfere by its own authority to prevent it taking effect, by cauſing the ſentence to be executed without leaving an option in the children or kinſmen to fruſtrate it by their pardon.

5th. Whether the law which enjoins the children or neareſt of kin to the perſon deceaſed to execute the ſentence paſſed on the murderers of their parents or kinſmen, on account of its tendency to cauſe ſuch crimes to paſs with impunity, ſhall be permitted to continue, or whether it ſhall not be abolished by a formal act of Government?

This law, ſuppoſed of the ſame divine original, is yet more barbarous than the former, and in its conſequences more impertent. If would be difficult to put a caſe, in which the abſurdity of it ſhould be more ſtrongly illuſtrated, than in one now before us, of a

mother condemned to periſh by the hands of her own children for the murder of her huſband. Their age is not recorded, but by the circumſtances, which appear in the proceedings, they appear to be very young. They have pardoned their mother. They would have deſerved death themſelves, if they had been ſo utterly devoid of every feeling of humanity, as to have been able to adminiſter it to her who gave them life. I am of opinion, that the Courts of juſtice ſhould be interdicted from paſſing ſo horrid a ſentence, by an edict of the Nazim, if he will be purſuaded to it; by the Government, if he refuſes.

6th. Whether fines inflicted for manſlaughter ſhall be proportioned to the nature of the crime, as the Mahommedan law ſeems to intend: or both to the nature and degree of the crime, and to the ſubſtance and means of the criminal?

Both, If the fine exceeds the means of the criminal it muſt deprive the ſtate of his ſervice, and prove a heavier puniſhment than the law has decreed him.

7th. Whether the fines ſhall be paid to the Nazim, or taken by the Company as Dewan, or whether they ſhall not be ſet apart for the maintenance of the Courts and officers of juſtice, and for the reſtitution of the loſſes ſuſtained by the inhabitants from Decoits or thieves?

It may be dangerous to admit of ſuch a right in the Nazim. It cannot be better or more equitably employed, than for the uſes expreſſed in the concluding terms of the queſtion.

Although it was incumbent upon me to deliver my own opinion upon the above references, while I requeſted that of the Board, I have offered it with diffidence, and I confeſs with ſome reluctance, knowing the objections to which every kind of innovation is liable, but more eſpecially in the eſtabliſhed laws, or forms of juſtice. But I conceive, that the points which I have offered to your conſideration will be found in reality not ſo much to regard the laws in being, as the want of them; a law which defeats its own ends and operation being ſcarce better than none. Whatever your determination ſhall be concerning them, I ſhall moſt readily acquieſce in, and ſhall give my heartieſt aſſiſtance to its effectual execution.

Extract from the Proceedings of the Governor and Council, under date 23d November 1773.

The Preſident acquaints the Board, that, in conformity to their ſentiments intimated to him in their letter of the 31ſt Auguſt, he applied to the Begum on his return to the city of Moorſhedabad, for her conſent to the appointment of a perſon, who ſhould reſide in Calcutta on the part of the Nabob, with powers to affix the ſeal of the Nazim, and the ſignature on his behalf, to the warrants iſſued for the execution of the ſentences of the Nizamut Adaulut; for preventing the delays which attended the mode hitherto

in practice of tranſmitting the Futwas of the Court to the Nabob for his warrant and ſignature, as alſo the ill uſe which might be made of it during the Nabob's minority by the influence of thoſe who are about his perſon: that the Begum approved of the propoſal, and has ſince, at his recommendation, nominated the preſent Daroga of the Adaulut, Sudder-ul-Huck-Cawn, to this charge, and has ſent him a Sunnud to that effect and the great ſeal of the Nizamut. Theſe he now lays before the Board, and hopes they will approve of this appointment.

Reſolved, that we do approve of this inſtitution, and the nomination of Sudder-ul Huck-Cawn to the Neabut of this branch of the Nizamut; and that he be, in conſequence, allowed 500 Rupees per month in addition to his preſent ſalary as Daroga of the Nizamut Adaulut.

Reſolved, that the ſeal be delivered to the Naib, and that the Preſident be requeſted to ſuperintend him in the exerciſe of this office, as well in reviſing ſentences of the Adaulut as in paſſing the warrants and affixing the ſeal.

Extracts from the Proceedings of the Governor and Council, under date 19th April 1774.

Plan for the Eſtabliſhment of Fowjdars propoſed by the Preſident.

The Board having thought proper to commit the ſuperintendence of the Courts inſtituted for the trial of offences againſt the public peace to my eſpecial care, I find myſelf compelled to addreſs them on ſome points relating to this duty, in which I find myſelf unable to diſcharge it without their aſſiſtance.

Although the moſt beneficial conſequences may be expected from the eſtabliſhment of theſe Courts, from the regular proceſs with which they are conducted, and the equal diſtribution of juſtice which is thus provided for in every part of this extenſive and populous country, yet I cannot avoid expreſſing my apprehenſions that theſe benefits are reſerved to a period of more eſtabliſhed order than the preſent adminiſtration has yet had time to effect, and that the public tranquillity will not be ſecured without the exertion of other and extraordinary means.

At this time I have repeated complaints from all parts of this province of the multitudes of Decoits who have infeſted it for ſome years paſt, and have been guilty of the moſt daring and alarming exceſſes. I know not whether the knowledge of theſe evils has been officially communicated to the Members of the Board. To me it has only come through the channels of private information, as I do not recollect to have heard the ſlighteſt intimation of them from the Zemindars, farmers or other officers of the revenue; which may appear extraordinary, but that I am aſſured, that the Zemindars themſelves too frequently afford them protection, and that the Reiats, who are the principal ſufferers by theſe ravages, dare not complain, it being an eſtabliſhed maxim with the Decoits to puniſh with death every information given againſt them.

The remedies for this evil will be beſt diſcovered from the knowledge of the means which have contributed to produce it. Theſe may be reduced to the following head.

1ſt. The abolition of the Foujdarry juriſdiction and of the Tannadarries dependant on it. This inſtitution provided for the ſecurity of the public peace, and ſerved as the official means of conveying regular intelligence of every diſorder or caſualty which happened in any part of the provinces. By its removal the confidence of the Decoits is encreaſed, nor has any other means been ſubſtituted for giving intelligence to the Government of ſuch events as relate to the peace of the country.

2d. The reſumption of the Chukeraun Zemeen, or lands allotted to the Tannadars and Pykes for their ſervice in guarding the villages and larger diſtricts againſt robbers. Many of the people thus deprived of their livelihood have themſelves turned Decoits. Such of the monthly ſervants allowed by our late Regulations, as receive their allotted pay, are wholly employed for the ſervice of the farmers in the buſineſs of their collections; but the greater part, I am aſſured, have their wages wholly withheld from them; ſo that none of them are of any utility to the community. This may perhaps account for the ſilence of the farmers with reſpect to the diſorders committed in their diſtricts.

3d. The farming ſyſtem. Uſeful as this is to the general welfare of the ſtate, and of the people, it is one of the principal ſources of the diſorderly ſtate of the Moſuſſel, by the removal of that claim, which the public by immemorial uſage before poſſeſſed to the reſtitution of all damages and loſſes ſuſtained by robbers, on the Zemindars of the country. The farmers having no longer the ſame authority cannot be held accountable, as they formerly were, for the effects of it, although the right of Government has never been formally renounced. The farmers, who ſtand in their places, ought indeed to be made anſwerable for the diſorders proceeding from their neglect; but whatever they were compelled to pay on this account, would be brought into their balances at the end of the year, and would thus fall ultimately upon the Government itſelf.

4th. I am ſorry to enumerate among the cauſes of the encreaſe of robbers, the regularity and preciſion which have been introduced into our new Courts of juſtice. The dread which the common people entertain of the Decoits, and the difficulty which even without ſuch an impreſſion muſt attend the conviction of an offender of this kind however notorious, before a Mahomedan Court which requires two poſitive evidences in every capital caſe, afford them an aſſurance of impunity in the proſecution of their crimes, ſince they generally carry on their deſigns in the night or under diſguiſe. Among thoſe who have been convicted of robbery, I do not recollect an inſtance in the proceedings upon their trial, in which their guilt has been proved by evidence, but by their own confeſſion only; and this has occurred in ſo many inſtances that I am not without a ſuſpicion that it is often obtained by improper means.

The chiefs of theſe Banditti are generally as well known to be ſuch, as if they were inveſted with a legal and public authority for the command which they exerciſe

yet it would be ſcarce poſſible to prove any direct fact againſt them, on which they could be condemned; and I have heard the names of ſome, who have been taken up and examined on the notoriety of their character, but have been acquitted and releaſed for want of evidence againſt them. With ſuch offenders the authorized practice of the former Government has ever been to aſcertain the identity of the men, and to condemn them without waiting for further proceſs to eſtabliſh any ſpecific charge againſt them. I know to what I expoſe myſelf by recommending a practice ſo repugnant to the equity and tenderneſs of our own conſtitution; but from a principle ſuperior to every conſideration which may affect myſelf, I venture to declare, that unleſs this Government adopts the ſame ſummary mode of proceeding in ſuch caſes as I have deſcribed, I ſee no probability of freeing this country from the worſt of oppreſſion, or reſtoring it to ſecurity and order. A rigid obſervance of the letter of the law is a bleſſing in a well regulated ſtate; but in a Government looſe as that of Bengal is, and muſt be for ſome years to come, an extraordinary and exemplary coercion muſt be employed to eradicate thoſe evils, which the law cannot reach.

I now proceed to preſcribe the remedy to theſe diſorders, as it is pointed out by the cauſes to which I have attributed them. I propoſe, that Foujdars be appointed to the ſtations hereafter mentioned, for the protection of the inhabitants, for the detection and apprehenſion of public robbers within their reſpective diſtricts, and for tranſmitting conſtant intelligence of all matters relating to the peace of the country to the Preſidency: that the Zemindars, farmers and other officers of the collections be enjoined to afford them all poſſible aſſiſtance in the diſcharge of their duty, and to obey ſuch orders as they may have occaſion to iſſue for that purpoſe; that the farmers do make over to them the land ſervants allowed for their reſpective diſtricts, who ſhall be under the abſolute command of the Foujdars: that the Chakeraun Zemeen, or lands allotted for the maintenance of the Tannadars and Pykes, which have been reſumed and included in Jemma, may be again ſeparated from it and applied to their original deſign: (I cannot better recommend this inſtitution, than by mentioning it as the univerſal practice of all the nations in India, and of the remoteſt antiquity. I am aſſured, that the lands, which have been reſumed from this ſervice, yield little revenue to Government, having been moſtly deſerted by their former proprietors.) that the juriſdiction of each Foujdar be aſcertained by proper limits; that he be made reſponſible for the due maintenance of the peace within that ſpace; but that it may be lawful, and enjoined him, to ſend his officers when occaſion may require it, beyond thoſe limits for the apprehending of offenders; and that they be all ſtrictly enjoined to co-operate and aſſiſt each other for that effect: that an office be eſtabliſhed under the controul and authority of the Preſident, for receiving and regiſtering all reports from the Foujdars, and iſſuing orders to them; that ſuch of the Zemindars or farmers, as ſhall be convicted of having neglected to aſſiſt the Foujdars in the execution of their truſt, ſhall be made reſpon-

ſible for any loſs ſuſtained by ſuch miſconduct, or otherwiſe fined according to the nature of the offence; but that all perſons of whatever degree or profeſſion, who ſhall be convicted of receiving fees, or other pecuniary acknowledgments, from robbers knowing them to be ſuch, or of abetting or conniving in any ſhape at their practices, ſhall be adjudged equally criminal with them and puniſhed with death; and that this be immediately made public throughout the province.

The following places are propoſed for the Foujdarry ſtations:

Propoſed Boundaries for the Tannahs.

1. Calcutta.
   - South, Carry Juree,
   - North, Patta village in Calcutta Pergunna,
   - Eaſt, Baddaherry river,
   - Weſt, Ganges,

2. Tannah Muewa.
   - South, Khauler Pergunna by the north of the Roopnarrain river.
   - North, Bhetera village,
   - Eaſt, Ganges,
   - Weſt, Rauguppoor village in Booro Pergunna lying eaſt of the Serſutty river.

3. Houghley.
   - South, Bhetera village,
   - North, Mirzapoor,
   - Eaſt, Moolgur Pergunna,
   - Weſt, Pawnan and Doolook.

4. Cutwa.
   - South, Mirzapoor,
   - North, Bubta,
   - Eaſt, Tehutt,
   - Weſt, Barbuckſing Pergunna,

5. Jillee Shorepoore.
   - South, Purloa,
   - North, the conflux of the Sootee and Ganges,
   - Eaſt, Kulliangunge,
   - Weſt, Sultanabad Pergunna,

6. Moorſhedabad.
   - South, Babta,
   - North, Muncoot,
   - Eaſt, Jellengee,
   - Weſt, Rendia and Gobgaund villages,

7. Godagarree.
   - South, Pudda river,
   - North, the northern boundaries of Luſhkerpoor and Chundlehey Pergunnas,
   - Eaſt, Iſlampoor Pergunna,
   - Weſt, Deonagur,

8.	Sherepoor in the Pergunna Battarea	South, Hongaund in the Pergunna Catarmull; North, Naga Sebegunge in the Pergunna Pertab Bazoo. East, Chittun river, West, Beafh Pergunna,
9.	Attyah.	South, Chand pertab Pergunna in Dacca, North, Jaffier ſhahy Pookeria Pergunna, East, Bowal Pergunna, West, zuffsahy Pergunna.
10.	Rajenagur.	South, Backergunge, North, the South of Dacca city East, Barampooter river, West, Booſna frontier,
11.	Backergunge.	South, Arungabad Pergunna, North, Sundarcool Pergunna, East, Jallalpoor Pergunna, West, Siedpoor Pergunna in Dacca.
12.	Mirzanagur.	South, Dulleapoor Purgunna, North, Moorley Cucherry, East, Sultanpoor Curufea Pergunna, West, Moolgur Pergunna.
13.	Itchacada.	South, Jeſſore, North, Burreſhetty, village in the Pergunna Shawoojaul to the Coomar river, East, Hajee Gunge, Noorullapoor Pergunna, West, Kattefhacoonre under the Khaſs-Talooks.
14.	Beerbhoom.	South, Biſſenpoor, North, Jellaſſorepoor frontier, East, Barbuck Sing frontier, West, Deogur.

The Tannahs of Calcutta, Moorſhedabad, Burdwan, Dacca, and Deenagepoor, may be placed under the controul of the Chiefs, the Committee of Revenue, and the Provincial Councils; but the immediate jurisdiction and official management of each muſt be entruſted to a ſingle hand: it will find him ſufficient occupation.

I have not included the province of Behar in this arrangement, becauſe I do not know that it requires the like proviſion for the maintenance of its peace; neither have I been able yet to aſcertain the ſtations for the northern part of Bengal, or the eaſtern

diviſion of Dacca. Concerning theſe, and the limitation of each boundary by clear geographical lines, I have written to the Surveyor General for his aſſiſtance. The above limits have been laid down by your Canongos, and may ſerve for preſent guidance.

I recommend that an immediate trial be made of the ſtations at Cutwa, Mirzanagur and Eechacanda, in the diſtrict of Mahmud Shahee with the following eſtabliſhment to each. I have made choice of the above places in preference to the reſt for an immediate trial, becauſe the parts adjacent to them are more infeſted with robbers, than the reſt of the province.

The only objection, to which this plan is liable, is the expence; but I with confidence hazard the aſſertion, that this will not equal the loſs, to which the cultivation and revenue are liable from the continuance of the preſent diſorders; although not reducible to any eſtimate. I am aſſured that many villages, eſpecially in Jeſſore and Mahmudshahee, pay a regular Malguzarree to the chiefs of the Decoits, from which if they can be freed, the Reiats will certainly be better enabled to pay their rents to the Government, independently of the improvements which their lands may be expected to receive from a ſtate of quiet and ſecurity.

Reſolved, that the Board approve thereof; and that the Preſident be requeſted to carry it into immediate execution at the three ſtations of Cutwa, Mirzanagur and Eechacanda.

Extract of Proceedings of the Governor General and Council, 18th October, 1775.

Ordered, that the Secretary acquaint Mahomed Reza Khan, that the Honorable the Court of Directors have been pleaſed to approve of the proceedings of the late Board, on the inveſtigation of his conduct. . . . . And that he be further acquainted, that the Honorable the Governor General and Council have, therefore, been pleaſed to recommend him to the Nabob Mobarek O'Dowla, to be Naib Soubah, or Miniſter, of the Sircar, and guardian of his minority, with authority to tranſact the political affairs of the Sircar, to ſuperintend the Fouzdary Courts, and the adminiſtration of criminal juſtice throughout the country, and to enforce the operation of the ſame on the preſent eſtabliſhment, or to new model and correct it: And as the Board wiſh that he ſhall have full controul of the Officers of the Criminal Courts in the character of Naib Soubah, they propoſe to remove the Nizamut Adaulut, now at Calcutta, to be held in future at Moorſhedabad.

Extract of Proceedings of the Governor General and Council, 6th November, 1775.

Articles relating to the Niabut of the Nizamut Foujdary &c. propoſed by Nabob Mahomed Reza Khan.

1ſt. The Governor General and Council have been pleaſed to appoint me, Sied Mahomed Reza Khan, Mozuffer Jung, to the office of Naib Soubah, which I formerly held, with the ſuperintendence of the Foujdary and Adaulut, the Cauzyſhip, the Adminiſtration of criminal juſtice, and the regulation of weights and meaſures, with authority to adjuſt and correct the method in which the buſineſs has been conducted; it is neceſſary, that my ſeal and ſignature be likewiſe authentic in all matters relative to the above offices.

5th. It is the deſign of the Board in appointing me to the Foujdary, to bring thieves to puniſhment, and to root out all robbers and murderers; this requires the greateſt vigilance and attention. Whenever any circumſtance occurs, and I addreſs the Board thereon, I am hopeful that they will immediately apply a remedy.

In the ſame manner the Foujdars in the Mofuſſil will have continual occaſion to write to me, and it will in many caſes be neceſſary for me to enquire the particulars from the Vakeels of the Zemindars and Farmers, and it will likewiſe be neceſſary for the Zemindars and Farmers to repreſent a variety of cauſes to the Sudder Cutcherry at Moorſhedabad; this makes it requiſite, that a Vakeel ſhould remain at the Sudder Cutcherry on the part of every creditable Zemindar and farmer. Let an order, therefore, be iſſued to them by the Board for that purpoſe, and that every Zemindar and farmer deliver to the Foujdar a liſt of the number of Zemindary Tannahs in his diſtrict, together with the names of the perſons ſtationed in them; and ſtrictly enjoining them, that they pay implicit obedience to the orders of the Foujdars in all matters relating to the Foujdary.

6th. Let an order of the Board be iſſued to the Chiefs of the ſeveral diſtricts, that whenever their aſſiſtance is required by the Foujdars ſtationed in the Tannahs, for the apprehenſion of robbers and murderers, or for any other buſineſs of the Foujdary, they are to pay attention to their repreſentations, and to afford them their aſſiſtance for the accompliſhment of ſuch buſineſs; and that whenever I write to them on any affair relating to the Foujdary &c. or to the Cauzies, Mufties, and other officers of the Adaulut, they are to comply therewith.

7th. How many Tannahs ſhall be eſtabliſhed throughout the diſtricts of Bengal, Behar, and Oriſſa; how many men with the Foujdars and officers ſhall be ſtationed in each; what ſalaries ſhall they receive; and at what particular places ſhall the Tannahs be fixed?

8th. There are at preſent ſtationed at different places in the diſtricts of Bengal, Behar, and Oriſſa, officers of the Adaulut, and Cauzies, and Mufties. Let an order of the Board be iſſued to whomſoever has the Sgriſſah in his poſſeſſion, to give me an account of the number of them and the ſalaries they receive.

9th. It is the cuſtom with the people here, to pay reſpect and obedience to the perſon from whoſe hands they receive their wages. This being the caſe, if the officers of the Adaulut and Foujdary receive their ſalaries from me, the affairs of the Sircar will be regulated on the beſt footing.

Extract of Proceedings of the Governor General and Council, 9th of November, 1775.

Particular inſtructions communicated by the Governor General to Mahomed Reza Khan, upon the offices aſſigned to him.

The adminiſtration of criminal juſtice throughout the country being now entirely under your ſuperintendence and controul, the Board deſire you will take care, that the ſeveral Courts be compoſed of men who are qualified by their learning and integrity for thoſe truſts; that they be not appointed by partial recommendations; and that their places be not occupied by deputies, but that they perſonally attend to the duties of their reſpective offices, and conform literally to the rules enjoined them; that they tranſmit their proceedings monthly to the Sudder, where you will cauſe them to be expeditious in reviſing them, and in paſſing the Futwas; and that you iſſue the warrants of execution without delay.

The Foujdary Chucklas have yet only been in part eſtabliſhed; thoſe, which have been fixed, are at the Chucklas of Houghley, Cutwa, Mirzanagur, and Booſna. Copies of the plans of theſe eſtabliſhments, and of ſuch other plans as have been formed or recommended, will be delivered to you; and you will confirm ſuch of them as you ſhall approve, and propoſe any alterations and amendments which in your judgment may tend to improve the ſyſtem, and make it more likely to preſerve the peace of the country; but in all theſe eſtabliſhments, and in whatever new ones you may find it neceſſary to recommend, we deſire you will obſerve the greateſt œconomy.

Extract of Proceedings of the Governor General and Council, 6th December, 1775.

Letter to Mahomed Reza Khan, in anſwer to the Articles propoſed by him.

The Honourable the Governor General and Council have received and conſidered your addreſs to them of the 6th inſtant, containing nine * different Articles, which you propoſed as requiſite to be eſtabliſhed, contingent to the offices of Naib of the Nizamut and ſuperintendent of the Foujdary Courts; and the Board have been pleaſed to come to the following determinations upon them. To the firſt it is neceſſary to obſerve,

* Three, being relative to other functions of the Naib Nazim and unconnected with the adminiſtration of juſtice, omitted have been here.

that the Board have not appointed you to your preſent offices: they only recommended you to the Nabob for that purpoſe. Neither the Cauzyſhip, nor the Yeteſaul, were expreſsly named in the appointment recommended by the Board. The former will of courſe be under your controul; and if you ſhall judge it neceſſary to place this office on its original, or any better footing, or to reſtore the office of Yeteſaul, which was aboliſhed three years ago, in conſequence of the Regulations which were made at that time, we expect that you previouſly adviſe us of your ſentiments, and lay before us the plan which you ſhall have formed for the better Regulation of theſe offices, that they may receive our concurrence to their being carried into execution.

5th. The Board will always pay a proper attention to any repreſentation you may find it requiſite to make to them on the nature and duties of your office. The Zemindars and farmers will be ordered to deliver to the ſeveral Foujdars an account of the number of Zemindary Tannahs in their diſtricts, with the names of perſons by whom they are held, and will be ſtrictly enjoined to obey the Foujdar in all matters relating to his juriſdiction; but the Board cannot give their conſent to the expenſive ſyſtem of Vakeels being ſtationed, on the part of the Zemindars and Farmers, at the Sudder, unleſs that meaſure ſhall appear to them abſolutely neceſſary.

6th. Orders have been ſent to all the Provincial Councils, to afford you, or the officers of the Foujdary Courts, all proper aſſiſtance in the execution of their functions.

7th. This has been anſwered by the inſtructions of the Board, with which you are furniſhed, with the plans of the preſent eſtabliſhment; and deſired to propoſe any alterations that you may judge neceſſary.

8th. Orders will be iſſued accordingly to proper officers.

9th. The principal officers of the Adauluts and Foujdary may receive their ſalaries from you; but the inferior officers ſhould receive them immediately from their principals.

Extract from the Reſolutions of the Governor General and Council, in the Revenue Department, under date the 6th April, 1781. *

VI. That as the eſtabliſhment of Foujdars and Tannahdars, which was intended for the preſervation of the peace, and to aſſiſt in the due and effectual exerciſe of the juriſdiction of the Criminal Courts throughout the Provinces, has by experience been

* The five firſt articles, regarding Civil Courts, have been inſerted in this collection among the Regulations for Dewannee Adauluts, P. 27.

found not to produce the good effects intended by the inſtitution, it be therefore annulled; and that the Nabob be accordingly requeſted to recal all theſe officers, the Foujedar of Hoogly only excepted, the different nature of whoſe office requiring it ſhould be continued, at leaſt for the preſent.

VII. That the more effectually to promote the introduction of good order in the ſeveral diſtricts, the Judges of the ſeveral Dewannee Adauluts be, on the recal of the preſent eſtabliſhment of Foujedars and Tannahdars, independently of their judicial authority in civil cauſes, inveſted with a power, as Magiſtrates, of apprehending Dekoits or perſons charged with the commiſſion of any crimes or acts of violence within their reſpective juriſdictions. They ſhall not however be empowered to try or puniſh ſuch perſons, nor detain them in confinement; but ſhall immediately ſend them to the Darogah of the neareſt Foujedary Court, with a charge in writing, ſetting forth the grounds on which they have been apprehended.

VIII. That as caſes may happen, in which, by eſpecial permiſſion of the Governor General and Council, certain Zemindars may be inveſted with ſuch part of the juriſdiction now exerciſed by the Foujedars and their officers in the ſeveral diſtricts, as they heretofore enjoyed under the ancient Mogul Government, it be in all ſuch caſes a rule, that the Judge of the Dewannee Adaulut and the Zemindar ſhall, both jointly and ſeparately, poſſeſs a concurrent juriſdiction for the apprehenſion of all Dekoits, robbers, thieves, or other diſturbers of the peace, and for ſending them to take their trial, accompanied with a written charge, to the Darogah of the next Foujedary Court.

IX. That the authority to be veſted in the Judge and Zemindar, as ſpecified in the two laſt articles, ſhall in no wiſe exclude the Darogahs of the Foujedary Courts from the exerciſe of their official authority, in the apprehenſion and trial of all perſons ſubject to their juriſdiction; their proceedings in reſpect to all which they will continue, as formerly, to report to the Nazim, as their immediate ſuperior.

X. That in all caſes where there ſhall exiſt a concurrent juriſdiction between the Judges and the Zemindars, as deſcribed in the 8th article, they be required mutually to aſſiſt, and act in concert with, each other, whenever it may be neceſſary; beſides which, they are alſo jointly or ſeparately to afford ſimilar aid to the Darogah of any Foujedary Court within their reſpective limits, upon his requiſition to that effect; either for the purpoſe of apprehending any perſon or perſons liable to be tried by their Court, or of executing any of its ſentences regularly paſſed.

XI. That, the better to enable the Government, not only to obſerve the effects of the authority thus to be entruſted with the Judges of the civil courts and Zemindars of the diſtricts, but alſo to watch over the general adminiſtration of criminal juſtice

throughout the Provinces, there be eſtabliſhed, under the immediate controul and direction of the Governor General, a ſeparate department at the Preſidency, to receive the reports and returns of the proceedings of all the Foujedary Court, which ſhall regularly continue to be tranſmitted to him in the manner ſpecified in the two next articles.

XII. That each Judge, and every Zemindar poſſeſſing the juriſdiction ſpecified in the 7th and 8th articles, do regularly tranſmit to the Governor General, on the 1ſt of every Bengal month, an authenticated report of all perſons apprehended, and ſent for trial by them reſpectively, during the courſe of the preceding month; accompanied with atteſted copies of the charges laid againſt them, and ſpecifying to what Adaulut each party committed has been ſeverally conveyed.

XIII. That the Nabob be requeſted to give orders, that liſts with the names of all priſoners in actual confinement by orders of the Foujedary Courts be monthly tranſmitted to the Governor General, with ſeparate liſts of all perſons committed in the courſe of the month; certifying by what authority each of them was apprehended, and ſimilar liſts of all priſoners diſcharged within the ſame period; together with copies of the Fetwahs or ſentences, and Hookums or orders of the Nazim, paſſed and iſſued in the courſe of the ſame month.

XIV. That a covenanted ſervant be appointed, under the direction of the Governor General, with the title of Remembrancer of the Criminal Courts, who ſhall have charge of all the aforementioned returns and papers, and ſhall keep them duly arranged according to their proper places and dates; and ſhall make and keep tranſlations of the ſame, with abſtracts, drawn up ſo as to afford a ready reference and comparative view between the ſeveral reports to be received from the Nazim, the Judges and Zemindars, reſpectively, in ſuch manner as to prove an effectual check on all the perſons employed in the adminiſtration of criminal juſtice, as well as for ſuch other purpoſes as the experience of his office may ſuggeſt.

XV. That the Remembrancer be allowed the following ſalary and eſtabliſhment:

Remembrancer (including ſalary, houſe rent, and all contingencies) Per Month,	Sicca Rupees 1000
His Aſſiſtant,	100
1 Molavie,	100
1 Moonſhee or Copyiſt,	30
Total Per Month Rupees	1230

REGULATIONS,

FOR THE

ADMINISTRATION OF JUSTICE,

IN THE

FOUJEDARY OR CRIMINAL COURTS,

IN

BENGAL, BAHAR, AND ORISSA.

Approved by the Right Hon. the Governor General in Council, on the 27th of June, 1787.

I. That the juriſdiction of each Collector, as Magiſtrate, ſhall extend over all places within the limits of his Collectorſhip, excepting thoſe ſituated within the bounds of the cities of Moorſhedabad, Patna, Dacca, and Calcutta, the laſt of which is ſubject to the Supreme Court, and the other three are allowed diſtinct juriſdiction, the extent of which has been already fixed by the Collector and Judge, and approved by the Board.

II. That each Magiſtrate on receiving charge of his office, ſhall take the following oath.—" I A. B. Collector and Judge of and entruſted as Magiſtrate with Foujedary juriſdiction, do ſolemnly promiſe and ſwear, that I will exert my beſt abilities, for the preſervation of the peace of the diſtricts over which my authority extends, and will act with impartiality and integrity, neither exacting, or receiving, directly or indirectly, any fee or reward in the execution of the duties of my office, other than ſuch as the orders of Government do, or may authorize me to receive. So help me God."

III. That the duties of the Magiſtrate be, to apprehend all murderers, robbers, thieves, houſebreakers, or other diſturbers of the peace, and to ſend them to take their trial, accompanied with a written charge in the Perſian language, to the neareſt Foujedary Court, if there be none ſtationed in the diſtrict under his immediate authority as Collector.

IV. That the Magiſtrate be further inveſted with power to hear, and determine, without any reference to the Foujedary Courts, all complaints or proſecutions brought before him for petty offences, ſuch as abuſive language or calumny, inconſiderable aſſaults or affrays, and to puniſh the ſame when proved by corporal puniſhment, not exceeding fifteen Rattans, or impriſonment not exceeding the term of fifteen days; but that in all caſes affecting either the life or limbs of the party accuſed, or ſubjecting them to a greater puniſhment than that above ſpecified, the cauſe be remitted, as above preſcribed, to the hearing of the neareſt criminal Court.

V. That in cases where the complaints, preferred, appear to be litigious, vexatious, and groundless, the Magistrate be authorized to inflict a punishment on the complainant, not greater than that specified in the fourth article, or to impose a moderate fine upon him, to the paid to the defendant, as an indemnification for the trouble he will have been unduly put to by the plaintiff; but the fine is in no case to exceed the sum of fifty Rupees, where the party is neither a Zemindar, Choudry, or Talookdar, paying an annual revenue of ten thousand Rupees, or a possessor of Ayma land, paying a rent to Government of five hundred Rupees per annum, or of free land yielding an annual produce to the value of one thousand Rupees; and the fine on the several persons described under this exception is in no instance to exceed two hundred Rupees, and the Magistrate is authorized to use his discretion in fixing its amount within the above prescribed limits, as nearly as possible, in due proportion to the nature of the offence, and to the quality and worldly substance of the offender.

VI. That all complaints, with the orders upon them, be recorded in the Magistrate's office both in English and Persian.

VII. That authenticated copies of all complaints and orders passed thereon, both in English and Persian, be forwarded monthly to the Remembrancer of the Criminal Courts, with a return, specifying the names of the persons apprehended, the date of apprehension, whether they have been sent for trial, or punished as above authorized, or released, to what Adaulut they have been committed, and the Darogah's name.

VIII. That such return be drawn out in the Arabic months, and according to the following form.

RETURN of Persons apprehended in the District of *in the Month of* MOHURRAM 1201, *Hegirah.*

No.	*Name.*	*Date of apprehension.*	*Punishment, and in what manner.*	*Released, and if allowed a fine.*	*Committed, & the date of Committment.*	*To what Adaulut, and the Darogah's name.*	*Particulars, vide attested copy of the complaint, & order upon it. No*
1	Mahomed	1 Mohurram	15 Rattans				
2	Sukoor	2		Allowed 10 Rupees the complaint being groundless.			
3	Jeetoo	3			Committed 3 Mohurram	Midnapore.	Vide Charge, No. 3.

TOTAL 3 ABSTRACT—Punished - 1
Released - 1
Committed - 1

IX. That the Magistrate be not authorized to detain any person accused in confinement, except under the provisions of the fourth and fifth Articles, beyond the period of two days, within which, he is to decide as far as depends on his authority, that is,

relative to the commitment, for trial, of all parties brought before him on any criminal charge.

X. That the Magiſtrates be allowed acceſs to the jails, as often as they may find it neceſſary to inſpect them; that it be required of them to perform this duty at leaſt once in every month, and in caſe of ocular or poſitive proof of ill treatment to the priſoners, on the part of the Darogah or his Amlah, to forward an account of the ſame to the Governor General in the Foujedary department; that the neceſſary repreſentation may be made to the Naib Nazim.

XI. That in inſpecting the jails, particular attention be ſhown to cleanlineſs and the health of the priſoners; and that the Magiſtrate be allowed to ſuggeſt, and the Darogah enjoined to make, ſuch arrangements as he may think practicable to the attainment of theſe ends. And in caſe the Darogah ſhall appear to the Magiſtrate inattentive to his recommendations on this ſubject, report thereof is to be made to the Governor General, for the ſame purpoſe as noticed in the laſt article.

XII. That as all European Britiſh ſubjects are amenable only to the Supreme Court of Judicature, in the event of any acts being committed by them, which may render them objects of a criminal proſecution and trial in that Court, the Magiſtrate is, on information lodged upon oath, to apprehend ſuch Britiſh ſubject or ſubjects; and after making, without delay, ſuch an inquiry into the circumſtances of the charge, as to ſatisfy his own mind of there being grounds for trial, he is immediately to diſpatch ſuch perſon or perſons in ſafe cuſtody to the Preſidency, there to be delivered over to one of the Judges of the Supreme Court: and on theſe occaſions, the complainants, with their witneſſes, muſt alſo give ſecurity to the Magiſtrate to repair to the Preſidency on or before the ſeſſions next enſuing, to proſecute; and in caſe of their inability from poverty, to defray the charge of their journey, the Magiſtrate is to report the ſame to the Remembrancer of the criminal Courts, for the determination of the Governor General. All Europeans, not Britiſh ſubjects, are equally amenable with the natives to the authority of the Magiſtrate within his own diſtrict, and to the Foujedary Court to which they may be committed.

XIII. That in caſe the Magiſtrate ſhall find it neceſſary to apprehend and commit any Zemindar or landholder, of whatever denomination, for breach of the peace in any of the inſtances before mentioned, or for connivance at the ſame, contrary to the expreſs conditions of their reſpective tenures, he be required to notify ſuch commitment to the Governor General in Council, that proper meaſures may be immediately purſued, to prevent any failure in the revenues, which might be alleged as the conſequence of their being in reſtraint.

XIV. That the Darogah of the Foujedary Adauluts be, as far as relates to the trial of cauſes, totally independant of the Magiſtrate, but ſubject in every reſpect to the Nabob Mahomed Reza Cawn, in his capacity of Naib Nazim.

XV. That in caſes where the judgments in the Foujedary Courts ſhall direct a pecuniary compenſation to the party injured, it ſhall be the duty of the Magiſtrate, in his capacity of civil Judge, to cauſe ſuch judgment, after it ſhall have received the ſanction of the Sudder Nizamut Adaulut at Moorſhedabad, to be carried into execution by the ſame rules and proceſs, whereby the Judge is, in the 29th article of the Judicial Regulations this day paſſed, required to cauſe his own deciſions, in his civil capacity, to be executed.

XVI. That the Darogahs be required to tranſmit, to the Naib Nazim, copies of the proceedings at large, in all cauſes that have been tried during each month, diſtinguiſhing and ſeparating thoſe of leſs conſiderable import, in which they themſelves paſs ſentence, from the more material caſes, referred for the Nazim's decree; together with accounts of the diet and other jail charges, and returns of effects in the Malkhana, detailing every particular article, with complete liſts of all perſons under their charge, whether in confinement for trial, or under ſentence, ſpecifying the date when ſuch ſentence commenced, and its period, accompanied by reports of caſualties during the month, and every other information that may be required of them.

XVII. That the Darogahs ſhall be required to deliver to the Magiſtrate, on or before the fifth day of the ſucceeding month, a complete liſt, or report, in Perſian, of all priſoners under their charge who are confined, diſtinguiſhing the different degrees of confinement according to the ſentence, the caſualties during the month, compriſed under the ſeparate heads of removal, death, eſcape, and diſmiſſion, the crime of which they were guilty, and the period at which the operation of their ſentence commenced; together with a report of the cauſes decided by themſelves, in which ſentences have been paſſed and carried into execution; and a report of cauſes tried, the proceedings of which are referred for the Naib Nazim's decree, with a report of the Nazim's Futwahs on former references, and a report of perſons under their charge for trial. In ſituations where the Darogahs receive perſons committed by different Magiſtrates, they are required to keep their priſoners ſeparate, as far as the jails will admit, and to keep the record of their proceedings, and to make their reports to each Magiſtrate in the eſtabliſhed form, diſtinctly and ſeparately, for the number of priſoners received from each.

XVIII. That the five different reports, mentioned in the preceding article, be drawn out according to the Arabic months, tranſlated by the Magiſtrates, and forwarded to the Remembrancer of the criminal Courts, ſo as to arrive in Calcutta by the 10th of each month, that they may paſs regularly under the Governor General's inſpection.

XIX. That the following forms be obſerved in the preceding reports.

1ſt. Report or Liſt of Priſoners confined under Sentences.

No.	Name	Crime.	Punishments. Perpetual Imprisonment.	Temporary Imprisonment.	Imprisonment during pleasure.	Date of Confinement.	Removal, and to what place.	Natural Death & when.	Escaped, & when.	Dismission or Release.
1	Mohamed	Murder	P. I.			1 Mohurrum 1201		1201, 20 Suffer		
2	Mausoon	Theft		6 Months		2 Mohurrum 1201			21 Suffer 1201	
3	Sukoor	House Breaking	P. I.			3 Mohurrum 1201	To Bogulipore, as Suffer 1201			
4	Heloo	Fraud				4 Mohurrum 1201				Released by order, 23 Suffer.

Abstract—Removed - 1
Died - - 1
Escaped - 1
Dismissed - - 1
Balance - 1

2d. Report or Liſt of Perſons on whom Sentence has been paſſed by the Darogah, in the Month of

No.	Name.	Date of Commitment	Crime.	Date of Trial.	Sentence.	When enforced.
1	Mahomed	1 Mohurrum	Theft	9 Mohurrum	10 Pattans	3 Mohurrum

3d. Report or Liſt of Priſoners tried, and their Cauſes referred to the Naib Nazim for his Sentence, in former Months, and in the preceding Month.

No.	Name.	Date of Commitment.	Crime.	Date of Trial.	When referred.
1	Mahomed	1 Mohurrum	Murder	2 Mohurrum	3 Mohurrum.

4th. Report or Liſt of the Nazim's Futwahs in the preceding Month upon former References.

No.	Name.	Date of Commitment.	Crime.	Date of Reference.	Decree.	When enforced.
1	Mahomed	1 Mohurrum	Murder	2 Mohurrum	Death.	10 Suffer

5th. Report or Liſt of Priſoners under the Darogah's Charge to be tried.

No.	Name.	Crime.	Date of Commitment.	Trial Commenced, and when.	Trial not Commenced.	At Large, under Security.	In Jail.
1	Mahomed	Theft	1 Mohurrum	2 Mohurrum			In Confinement
2	Sakoor	House Breaking	2 Mohurrum		Not begun	At Large, under Security	

XX. That wherever the ſize of the jails will admit, a diviſion be made to ſeparate the priſoners in confinement under ſentences from thoſe whoſe trials are only proceeding on; and that in the inſtances where this plan is impracticable, the Magiſtrates be required to point out a convenient place for the erection of a ſeparate jail for thoſe of the former deſcription, tranſmitting to the Governor General an eſtimate of the expence that will be incurred, for his approval, and orders thereon.

XXI. That the Darogahs and the other officers be appointed by the Naib Naz'm; that they be held bound, in every inſtance, to reſide at their ſtations, under pain of removal from office, without any further inquiry, and total excluſion from future employment. That they be alſo compelled to hold Courts all the year round, at leaſt three days in every week, and as much oftener as the ſtate of the buſineſs depending in their reſpective Courts may require.

XXII. That the above rule is not to preclude the Naib Nazim from giving leave of abſence to the extent of twenty days, upon preſſing and particular occaſions: but that in ſuch caſes, he muſt nominate a temporary Naib, as the appointment of a Naib by any principal, to act during his abſence, cannot be allowed.

XXIII. That the following Collectors and Judges be inveſted with the authority of Magiſtrate, and allowed the eſtabliſhment aſhxed to each.

1 Burdwan.						
Mohurrers and Akrajaut of the Cutcherry, &c.			150	0	0	
1 Jemadar,			20	0	0	
20 Chupraſſies, at 4 Rs. each,			80	0	0	
						250 0 0
2 Raaj Shiey,						
Mohurrers and Akrajaut,			150	0	0	
1 Jemadar,			20	0	0	
40 Chupraſſies, at 4 Rs. each,			160	0	0	
						330 0 0
3 Dinagepore, as at Burdwan,						250 0 0
4 Nuddea, as at do.						250 0 0
5 Purnea, do.						250 0 0
6 Rungpore, do.						250 0 0
7 Chittagong, do.						250 0 0
8 Twenty-four Purgunnahs, do.						250 0 0
9 Beerbhom, do.						250 0 0
10 Boghilpore, do.						250 0 0
11 Jeſſore, do.						250 0 0
12 Midnapore and Jellaſore, do.						250 0 0
13 Moorſhedabad, as at Raaj Shiey,						330 0 0
14 Dacca, Jelalpore, do.						330 0 0
15 Dacca, Momen Sing, do.						330 0 0
16 Tumlook,						150 0 0
17 Hidjelee,						150 0 0
					Carried over	4370 0 0

								Brought over,	4370	0 0
18	Ramghur, as ſettled originally,								240	0 0
19	Silhet,									
	Mchurrers,							100 0 0		
	1 Jemadar,							15 0 0		
	20 Chupraſſies at 3 Rs each,							60 0 0		
									175	0 0
20	City of Moorſhedabad, Cutwally,								475	0 0
21	Do Patna,	do.							475	0 0
22	Do. Dacca,	do.							475	0 0
23 to 26	In Behar, 4 Collectorſhips, at 250 Rs. each, the ſame as Burdwan,								1,000	0 0
								Sicca Rupees -	7,210	0 0

XXIV. That the Magiſtrates ſhall each tranſmit a monthly account of the receipts and diſburſements of theſe eſtabliſhments, with vouchers for the latter, to the Remembrancer of the Criminal Courts, at the end of each month, prepared in the following form.

Dr. Cash Account *of Mr.* *Magiſtrate &c* *for* Cr.

To Caſh received of the Collector of for which I gave him two receipts,				By Foujdary Liſtabliſhments, paid as follows.			

XXV. That the Foujdary Adauluts be ſtationed, and the eſtabliſhments affixed to each be allowed, as per the following liſt.

Moorſhedabad Sudder Nizamut Adaulut, 3,319

Twenty-four Pergunnas.

At Chitpore, or to be hereafter removed to a more centrical ſituation in the Twenty-four Pergunnas.

1 Darogah,	100	0	0
1 Cazee,	65	0	0
1 Naib do.	35	0	0
2 Moonſhies, 30 each,	60	0	0
2 Mohurrers, 20 each,	40	0	0
1 Mirda for the Jail and Malkhana,	25	0	0
1 Naib do.	10	0	0
30 Burkandauzes, 3 each,	90	0	0
1 Mullah,	10	0	0
1 Tubb-eb,	20	0	0
1 Bramin,	10	0	0
1 Tazeanaburdar,	4	0	0
1 Jellaud,	4	0	0
1 Goarkund,	4	0	0
1 Frauſh,	4	0	0
Dufterbund, Peons, &c &c. Pens, Ink,	14	0	0
		495	0 0

Dacca Jalalpoor.

At Backergunj, for the Jalalpoor diviſion of the Dacca province, to be removed hereafter to a more centrical ſituation, if found neceſſary, 495 0 0

Midnapoor, Tumlook, and Injilee.

At Midnapoor, for the diſtricts of Midnapoor, and Jellaſore alſo for Tumlook and Injilee, 495 0 0

At Chapleah, for Raaj Shiey, to be hereafter removed if deemed neceſſary, 495 0 0

Moorſhedabad.

At Moorſhedabad, for the diſtricts under the Collectorſhip, and for the city of Moorſhedabad, 495 0 0

Carried over, 5,794 0 0

Brought over,	5794	0	0

Boghilpoor.

At Boghilpoor, for that diſtrict and Rajemal,	495	0	0

Kiſhen Naggur.

At K ſhen Naggur, for that Collectorſhip including Hough'y,	495	0	0
A new Adaulut, 1.			

Jeſſore.

At Jeſſore, for that Collectorſhip as at preſent,	495	0	0

Chittagong.

At Chittagong, as at preſent,	495	0	0

Silhet.

At Silhet, for that Collectorſhip,	495	0	0
A new Adaulut, 2.			

Dacca Momen Sing.

At Momen Sing, for this Collectorſhip,	495	0	0
A new Adaulut, 3.			

Rungpoor.

At Rungpoor, for that Collectorſhip as at preſent,	495	0	0

Dinagepoor.

At Dinagepoor, for that diviſion,	495	0	0

Purneah.

At Purneah, for that diviſion,	495	0	0

Beerbhoom and Biſſenpoor.

For this Collectorſhip,	495	0	0
A new Adaulut, 4.			

Burdwan.

At Burdwan, for that Collectorſhip,	495	0	0

Ramghur.

At Chittrah, as at preſent,	495	0	0
Carried over,	11,734	0	0

Brought over,	11,734	0	0

IN BAHAR, 4 ADAULUTS.

Gyah.

At Gyah, for this Collectorſhip, as at preſent, - - -	495	0	0

Chupprah.

At Chupprah, for do. do. - - - - -	495	0	0

Tirhoot.

At Derbungah, for the Collectorſhip of Tirhoot, as at preſent, -	495	0	0

Patna.

At Patna, for the diſtricts under that Collectorſhip, and for the city of Patna, - - - - - - - - -	495	0	0
At Dacca, for that city, - - - - - - - -	495	0	0
Total Sicca Rupees,	14,209	0	0

XXVI. That the amount of the fixed eſtabliſhment of the Foujdary Adauluts ſhall be drawn monthly from the Collector of Moorſhedabad by the Naib Nazim, and diſtributed by him to the officers acting under his authority.

XXVII. That the contingent expences of the Foujdary Adauluts, viz. the diet charges, Cutcherry and priſon repairs, &c. ſhall be drawn for as at preſent, by a Cubz, or a receipt, accompanied with an account particulars, by the Naib Nazim, to be forwarded to the Remembrancer of the Criminal Courts, and preſented by him to the Governor General for acceptance, which, when accepted, ſhall be returned to the Naib Nazim, who will receive the amount from the Collector of Moorſhedabad, and make the diſtribution as uſual. That the Remembrancer give notice to the Collector of Moorſhedabad, whenever a Cubz has been paſſed.

XXVIII. That the contingent charges at Chittra and Dacca, ſhall in future be drawn in the ſame mode, in order to include the whole expence of this department in one general account.

XXIX. That the Naib Nazim ſhall correſpond with the Governor General and Remembrancer to the Criminal Court, upon all Foujdary ſubjects as heretofore.

REGULATIONS,

FOR THE

ADMINISTRATION OF JUSTICE,

IN THE

FOUJEDARY OR CRIMINAL COURTS,

IN

BENGAL, BEHAR, AND ORISSA.

Paſſed by the Right Hon. the Governor General in Council, on the 3d of December 1790.

PURSUANT to the Regulations paſſed by the late Preſident and Council on the 21ſt Auguſt 1772, Foujedary Courts for the trial of criminals were eſtabliſhed in the ſeveral diſtricts, and the Collectors, being Company's covenanted Servants, were directed to ſuperintend the proceedings of the officers of thoſe Courts, and on trials to ſee that the neceſſary witneſſes were ſummoned and examined, and that due weight was allowed to their teſtimony, and that the deciſions paſſed were fair and impartial. By the ſame Regulations a ſeparate and ſuperior Court of criminal juriſdiction was eſtabliſhed, under the denomination of Nizamut Adaulut, for reviſing the proceedings of the Provincial Criminal Courts, and a ſimilar control over this Court was lodged in the Chief and Council of Moorſhedabad as is above ſpecified to have been veſted in the Collectors over the Provincial Courts. Upon the abolition of the comptrolling Committee of Revenue at Moorſhedabad, the Nizamut Adaulut was removed to Calcutta and placed under the charge of a Darogah ſubject to the control of the Preſident of the Council, who thereby was enabled to reviſe the ſentences of the Criminal Courts in all capital caſes. The above arrangements, with few alterations, continued in force until the 18th October 1775, when the Nizamut Adaulut was again eſtabliſhed at Moorſhedabad under the ſuperintendence of the Naib Nazim by whom Foujedars were appointed in the ſeveral diſtricts, for apprehending and bringing to trial all offenders againſt the public peace. This ſyſtem was adhered to, with little material variation, until the 6th April 1781, when the inſtitution of Foujedars not having anſwered the purpoſes intended, the general eſtabliſhments both of Foujedars and Tannadars were aboliſhed, and, in lieu of them, the Civil Judges, being Company's covenanted ſervants, were inveſted with a power, as Magiſtrates, of apprehending Dekoits and perſons charged with the commiſſion of any crimes or acts of violence within their reſpective juriſdictions, and thereupon to ſend them to the neareſt Foujedary Court for trial; and, the better to enable Government to watch over the Adminiſtration of Juſtice throughout the provinces, there was eſtabliſhed, under the control of the Governor General, a ſeparate Department at the Preſidency, to receive

monthly returns of the ſentences paſſed in the Foujedary Courts; and, for the aſſiſtance of the Governor General in this duty, a covenanted ſervant was appointed under him, with the official appellation of Remembrancer to the Criminal Courts. From the inefficacy, however, of the authority of the Engliſh Magiſtrates over the Zemindars and other land-holders, the courſe of criminal juſtice throughout the country ſtill remained in a very weak ſtate, at the ſame time that the Regulation which veſted the apprehenſion of all offenders in the Magiſtrates without permitting them to interpoſe in any caſe in reſpect to the trials, became the cauſe of a new evil, by obliging the Magiſtrates to deliver over to the Darogah of the Foujedary Court and to that Officer's priſon, all parties charged with ever ſo ſlight a breach of the peace, the conſequences ariſing from which were that many of the loweſt and moſt indigent claſſes of people were frequently liable to remain for a long period in confinement, where the length of their ſufferings, from the delay in their trial, very often more than equalled their demerits. The Magiſtrates were therefore, on the 27th June 1787, veſted with authority to hear and decide on petty cauſes of affray, abuſive manner, and the like, and, under certain reſtrictions, to inflict corporal puniſhment and impoſe fines on ſuch offenders; and the authority of the Magiſtrates was further rendered more effectual and complete, by their having, in June 1787, become the Collectors of the Revenue in their reſpective diſtricts.

The numerous robberies, murders, and other enormities which have been daily committed throughout the country, evince however that the adminiſtration of criminal juſtice is ſtill in a very defective ſtate, and as the evils above recited have principally originated from the great delay in bringing offenders to puniſhment, and to the law not being duly enforced, as well as to defects in the conſtitution of the Criminal Courts, the Governor General in Council, with a view to enſure a prompt and impartial adminiſtration of the criminal law, and that all ranks of people may enjoy ſecurity of perſon and property, has reſolved to reſume the ſuperintendence of the adminiſtration of criminal juſtice throughout the Provinces. The following Regulations have been accordingly enacted.

REGULATIONS FOR THE MAGISTRATES.

1ſt. THAT the juriſdiction of each Collector, as Magiſtrate, ſhall extend over all places within the limits of his Collectorſhip, excepting thoſe ſituated within the bounds of the Cities of Moorſhedabad, Patna, Dacca, and Calcutta, the laſt of which is ſubject to the Supreme Court, and the other three are allowed diſtinct juriſdiction, the extent of which has been already fixed by the Collector and Judge, and approved by the Board.

2d. That each Magiſtrate, on receiving charge of his office, ſhall take the following oath: "I, A. B. Collector and Judge of and entruſted as Magiſtrate with Foujedary juriſdiction, do ſolemnly promiſe and ſwear, that I will exert my beſt abilities for the preſervation of the peace of the diſtricts over which my authority extends, and will act with impartiality and integrity, neither exacting or receiving, directly or indirectly, any fee or reward in the execution of the duties of my office, other than ſuch as the orders of Government do, or may, authorize me to receive, ſo help me God."

3d. That the duties of the Magiſtrates be, to apprehend all murderers, robbers, thieves, houſe-breakers, and other diſturbers of the peace, and, after making the inquiry hereafter directed, to commit them to bail to take their trial before the Court of Circuit.

4th. That upon a complaint in writing being preferred to the Magiſtrate againſt any perſon for murder, robbery, or other breach of the peace, the Magiſtrate ſhall, upon the party complaining making oath to the truth of ſuch complaint, iſſue a warrant under his ſeal and ſignature for the apprehenſion of the perſon complained againſt, in which the nature of the offence with which he is charged ſhall be ſpecified. Upon the priſoner being brought before the Magiſtrate, he ſhall inquire into the circumſtances of the crime alledged againſt him, and ſhall cauſe his examination, without oath, to be taken down in writing, and ſhall alſo examine, upon oath, the party complaining, as alſo any other perſons who are ſtated to have any knowledge of the crime with which the priſoner ſtands charged, and commit their depoſitions to writing. If, after this inquiry, it ſhall manifeſtly appear to the Magiſtrate, that the crime alledged was never committed, or that the ſuſpicion of the priſoner is wholly groundleſs, he ſhall cauſe him to be forthwith diſcharged. If, on the contrary, it ſhall appear to the Magiſtrate, that the crime was actually committed, and that there are grounds for ſuſpecting the priſoner to have been guilty thereof, he ſhall cauſe him to be committed to priſon, or held to bail, (according to the nature of the crime charged againſt him) to take his trial at the next ſitting of the Court of Circuit, and ſhall bind over the complainant and the witneſſes to appear and carry on the proſecution.

5th. Perſons accuſed of the following crimes, provided there ſhall appear to be ſufficient grounds for committing them for trial, ſhall not be admitted to bail—

MURDER,
ROBBERY,
THEFT,
HOUSE-BREAKING.

6th. That the Magiſtrate be further inveſted with power to hear and determine, without any reference to the Court of Circuit, all complaints of proſecutions brought

before him for petty offences, such as abusive language or calumny, inconsiderable assaults or affrays, and to punish the same, when proved, by corporal punishment, not exceeding fifteen rattans, or imprisonment, not exceeding the term of fifteen days.

7th. That where the complaints specified in the preceding article appear to be litigious, vexatious, and groundless, the Magistrate be authorized to inflict a punishment on the complainant, not greater than that specified in the preceding article, or impose a moderate fine upon him, to be paid to the defendant as an indemnification for the trouble he may have been unduly put to by the plaintiff, but the fine is, in no case, to exceed the sum of fifty Rupees where the party is neither a Zemindar, Chowdry, or Talookdar, paying an annual revenue of ten thousand Rupees, or a possessor of Ayma lands paying a rent to Government of five hundred Rupees per annum, or of free land yielding an annual produce to the value of one thousand Rupees; and the fine on the several persons described under this exception is, in no instances, to exceed two hundred Rupees, and the Magistrate is authorized to use his discretion in fixing its amount within the above prescribed limits, as nearly as possible, in due proportion to the nature of the offence and to the quality and worldly substance of the offenders.

8th. The Magistrate, upon receiving notice from the Judges of the Courts of Circuit of the date of their intended arrival at his station, shall cause public notice of the same to be given in all the districts under his charge by written publication, a copy of which he shall forward to the Cazee and Canongoe of each Pergunna, and also cause to be affixed in some public place in two of the principal towns or villages of each Pergunna, requiring all persons discharged upon bail, and all prosecutors and witnesses to appear and to attend by the date fixed for the arrival of the Court of Circuit, under pain of forfeiture of their recognizances.

9th. The Magistrate shall have in readiness to deliver to the Judges of Circuit, upon their arrival at the place of his residence, lists of all the persons committed to prison, or held to bail for trial, with copies of the charge preferred against them, the depositions of the witnesses, together with all other proceedings held by him previous to the commitment of such prisoners, or holding them to bail; and, after the prisoners have been tried, shall cause the sentences passed upon such prisoners to be carried into execution, upon receiving a warrant for that purpose under the seal and signatures of the Judges of the Court of Circuit.

10th. That the Magistrate do submit to the Judges of the Court of Circuit, upon their arrival at his station, separate lists of all persons whom he may have apprehended and discharged for want of sufficient evidence to commit them to prison or hold them to bail to take their trial for the crime charged against them, with their original proceedings in all such cases.

11*th*. That the Magiſtrate do viſit the jail at leaſt once every month, and redreſs all complaints of ill treatment which may be preferred to him by the priſoners against the jailer and other officers having charge of them. That he pay particular attention to the health and cleanlineſs of the priſoners, and require the ſurgeon of the ſtation to attend and adminiſter to the ſick.

That ſeparate apartments in the jail be allotted for the following deſcriptions of priſoners. Priſoners under ſentence of death. Priſoners ſentenced to impriſonment by the Court of Circuit. Priſoners committed to take their trial before the Court of Circuit. Priſoners confined under ſentence of the Magiſtrate for petty offences cognizable by him.

12*th*. That as all European Britiſh ſubjects are amenable only to the Supreme Court of Judicature, in the event of any acts being committed by them which may render them objects of a criminal proſecution and trial in that Court, the Magiſtrate is, on information lodged upon oath, to apprehend ſuch Britiſh ſubject or ſubjects, and after making without delay ſuch an inquiry into the circumſtances of the charge as to ſatisfy his own mind of there being grounds for trial, he is immediately to diſpatch ſuch perſon or perſons in ſafe cuſtody to the Preſidency, there to be delivered to one of the Judges of the Supreme Court of Judicature, and on theſe occaſions the complainants with their witneſſes muſt alſo give ſecurity to the Magiſtrate to repair to the Preſidency on or before the Seſſions next enſuing to proſecute; and in caſe of their inability from poverty to defray the charge of their journey, the Magiſtrate is to report the ſame to the Regiſter of the Nizamut Adaulut for the determination of that Court. All Europeans not Britiſh ſubjects (French ſubjects excepted who are to be dealt with and conſidered amenable to the ſame Courts as Britiſh ſubjects) are equally amenable with the natives to the authority of the Magiſtrate within his own diſtrict, and to the Court of Circuit for trial before which they may be committed.

13*th*. That in caſe the Magiſtrate ſhall find it neceſſary to apprehend and commit any Zemindar or landholder of whatever denomination for breach of the peace in any of the inſtances before-mentioned, or for connivance at the ſame, contrary to the expreſs conditions of their reſpective tenures, he be required to notify ſuch commitment to the Governor General in Council, that proper meaſures may be immediately purſued, to prevent any failure in the revenues which might be alledged as the conſequence of their being in reſtraint.

14*th*. That in caſes where the judgments in the Court of Circuit ſhall direct a pecuniary compenſation to the party injured, it ſhall be the duty of the Magiſtrate in his capacity of Civil Judge to cauſe ſuch judgment to be carried into execution by the ſame rules and proceſs whereby the Judge is in the twenty-ninth

article of the Judicial Regulations required to cause his own decisions in his civil capacity to be executed.

15*th*. That the following Collectors and Judges do exercise as at present the authority of Magistrate, with the following establishments.

ESTABLISHMENT *of the* MAGISTRATES.

No.	*MAGISTRATES.*		*Establishments.*		
1	BURDWAN.				
	Mohurrers and Akrajaut of the Cutcherry, &c.	150			
	1 Jemmadar,	20			
	20 Chuprasses at four Rupees each,	80			
	For the Foujdary Jail and Malconnah,				
	1 Mirdah, at	25			
	30 Burkundosses at three Rupees each,	90			
	1 Tubeeb,	20			
	1 Tazeanabardar, 1 Jellaud, 1 Gorekund,	12			
		147			
			397	0	0
2	Rajeshahy.				
	Mohurers and Akrajaut,	150			
	1 Jemmadar,	20			
	40 Chuprasses at four Rupees each,	160			
		330			
	For the Jail and Malconnoh,				
	1 Mirdah, at	25			
	30 Burkundosses at three Rupees each,	90			
	1 Tubeeb,	20			
	1 Tazeanaburdar, 1 Jellaud, 1 Gorekund,	12			
		147			
			477	0	0
3	Dinagepoor, as at Burdwan,		397	0	0
4	Nuddea, do.		397	0	0
5	Purneah, do.		397	0	0
6	Ruggpoor, do.	397			
	Carried over,		2065	0	0

No.	MAGISTRATES.		Eſtabliſhment.		
		Brought over	2065	0	0
	Cutwally,	100			
		——	497	0	0
7	Chittagong, as at Burdwan,		397	0	0
8	Twenty-four Pergunnas, do.		397	0	0
9	Beerbhoom, do.		397	0	0
10	Boglepoor, do.		397	0	0
11	Jeſſore, do.		397	0	0
12	Midnapoor, do.		397	0	0
13	Moorſhedabad.				
	Mohurrers and Akrajaut,	150			
1	Jemmadar,	20			
40	Chupraſſis, at four Rupees each,	160			
		—— 330			
	For the Jail and Malconnah,				
1	Mirdah, at	25			
30	Burkundoſſes at three Rupees each,	90			
1	Tubeeb,	20			
1	Tazeanaburdar, 1 Jellaud, 1 Gorekund,	12			
		——	477	0	0
14	Dacca Jelalpoor, as at Moorſhedabad,		477	0	0
15	Dacca Momenſing do.		477	0	0
16	Tumlook.				
	Mohurrers and Akraujaut,	150			
	For the Jail and Malconnah,				
1	Mirdah, at	25			
		——	275	0	0
30	Burkundoſſes at three Rupees each,	90			
1	Tubeeb,	20			
1	Tazeanaburdar, 1 Jellaud, 1 Gorekund,	12			
		—— 122			
		——	272	0	0
17	Hidgelee,				
	Mohurrers and Akrajaut,	150			
		Carried over,	6912	0	0

No.	MAGISTRATES.			Establishment.
		Brought over,		6922 0 0
1	Mirdah,	25		
15	Burkundosses,	45		
			70	
				220 0 0
18	Ramghur.			
2	Jemmadars, one at fifteen and one at ten Rupees,	25		
2	Naibs, at five Rupees each,	10		
50	Badged Peons, at three Rupees each,	150		
	Mohurrers and Akrajaut,	150		
			335	
	For the Jail and Malconnah,			
1	Mirdah, at	25		
30	Burkendosses at three Rupees each,	90		
1	Tubeeb,	20		
1	Tazeanaburdar, 1 Jellaud, 1 Gorekund,	12		
			147	
				482 0 0
19	Silhet.			
	Mohurrers and Akrajaut,	105		
1	Jemmadar,	15		
20	Chuprasses at three Rupees each,	60		
				475 0 0
	For the Jail and Malconnah,			
1	Mirdah, at	25		
30	Burkundosses at three Rupees each,	90		
1	Tubbeeb,	20		
1	Tazeanaburdar, 1 Jellaud, 1 Gorekund,	12		
			147	
				322 0 0
20	Moorshedabad, City Cutwally,		475	
	For the Jail and Malconnah,			
1	Mirdah, at	25		
80	Burkundosses at three Rupees each,	90		
		Carried over,		8121 0 0

No	MAGISTRATES.		Eſtabliſhments.
	Brought over,		8121 0 0
	1 Tubeeb, - - - - - -	80	
	1 Tazeanaburdar, 1 Jellaud, 1 Gorekund, -	12	
		147	
			622 0 0
21	Patna City, as for the City of Moorſhedabad, -		622 0 0
22	Dacca, do. do. - - - -		622 0 0
24	Behar proper,		
	Mohurrers and Akrajaut of the Cutcherry, -	150	
	1 Jemmadar, - - - - -	20	
	20 Chuppraſſes at four Rupees each, - -	80	
		250	
	For the Jail and Malconnah,		
	1 Mirdah, at - - - - -	25	
	30 Burkundoſſes at three Rupees each, - -	90	
	1 Tubbeeb, - - - - - -	20	
	1 Tazeanaburdar, 1 Jellaud, 1 Gorekund, -	12	
		147	
			397 0 0
	Cutwally or Police Eſtabliſhment for the town of Behar,		
	Cutwal, or Police Officer, - - - - -	80	
	A Writer, - - - - -	10	
	10 Peons at three Rupees each, - - -	30	
	Ink, &c. - - - - - -	7	
		127	
			524 0 0
24	Shahabad, as at Burdwan, - - - -		397 0 0
25	Sarun, do. - - - - - -		397 0 0
26	Tirhoot, do. - - - - -		397 0 0
			11,277 0 0

16*th*. That all complaints, with the orders upon them, be recorded in the Magiſtrate's office, both in Engliſh and Perſian.

17. That the Magiſtrates do forward monthly, to the Regiſter to the Nizamut Adaulut, a return ſpecifying the names of the perſons apprehended, the date of apprehenſion,

whether they have been ſent for trial or puniſhed as above authorized, or releaſed, or to what Court of Circuit they have been committed.

18*th*. That ſuch return be drawn out according to the Engliſh months, and according to the following form:

Return of Perſons apprehended in the Diſtricts of in the Month of

No.	*Name.*	*Abſtract of the Crime or Charge*	*Date of apprehenſion.*	*Puniſhment and in what manner.*	*Releaſed and if allowed a fine.*	*Committed & the date of Commitment.*	*Before what Court of Circuit to be tried*
1.	Mahomed.	For aſſaulting and beating Khoſhaul.	6 Jan.	15 Rattans.			
2.	Sakoor.	For aſſaulting Bachoo.	2d Jan.		Allowed Ten Rupees, the complaint being groundleſs.		
3.	Jeetoo.	For the murder of Khoſhaul.	3d Jan.			Committed 6th January.	Diviſion of

ABSTRACT—Puniſhed, - - - - - - - - - 1
Releaſed, - - - - - - - - - 1
Committed, - - - - - - - 1
3

19*th*. That the Magiſtrates be required to tranſmit monthly, to the Regiſter of the Nizamut Adaulut, the following reports, ſo as to arrive in Calcutta by the 20th of the enſuing month, that they may paſs regularly under the inſpection of the Court of Nizamut Adaulut.

1*ſt*. *Report or liſt of Priſoners confined under Sentence.*

No.	*Name.*	*Crime.*	*Puniſhments*		*Date of Confinement.*	*Removal &c. to what place.*	*Natural death and when*	*Eſcaped and when*	*Diſmiſſion or Releaſe*
			Perpetual Imprisonment.	*Temporary Impriſonment.*					
1	Mahomed.	Murder.	P. I.		1 Mohurrum 1201.		12 Safer 20 Suffer		
2	Maſſoom.	Theft.		6 Months.	2 Mohurrum 1201.			21 Safer 1201	
3	koor	Houſebreaking	P. I.		3 Mohurrum 1201	To Rungpoor 22 Suffer 1201.			
4	Jeetoo.	Fraud.			4 Mohurrum 1201.				Releaſed by order 23 Suffer

ABSTRACT—Removed, - - - - - - 1
Died, - - - - - - 1
Eſcaped, - - - - - 1
Diſmiſſed, - - - - - 1
Balance.

2*d*. Report or Liſt of Perſons on whom ſentence has been paſſed by the Court of Circuit for the diviſion of in the month of

No.	Name.	Date of Commitment.	Crime.	Date of Trial.	Sentence.	When enforced.
1	Mahomed.	1 Mohurrum.	Theft.	2 Mohurrum.	10 Rattans.	3 Mohurrum.

3*d*. Report or liſt of priſoners tried, and their cauſes referred to the Nizamut Adaulut for ſentence in former months, and in the preceding month.

No.	Name.	Date of Commitment.	Crime.	Date of Trial.	When Referred.
1	Mahomed.	1 Mohurrum.	Murder.	2 Mohurrum.	3 Mohurrum.

4*th*. Report or liſt of the ſentences of the Nizamut Adaulut in the preceding month upon former references.

No.	Name.	Date of Commitment.	Crime.	Date of Reference.	Decree.	When Enforced.
1	Mahomed.	1 Mohurrum.	Murder.	2 Mohurrum.	Death.	to Suffer.

5*th*. Report or liſt of priſoners under the Magiſtrate's charge to be tried.

No.	Name.	Crime.	Date of commitment.	Trial commenced and when.	Trial not commenced.	At large under Security.	In Jail.
1	Mahomed.	Theft.	1 Mohurrum.				In Confinement.
2	Sakoor.	Houſe-breaking.	1 Mohurrum.		Not begun.	At large under Security.	

REGULATIONS *for the* COURTS *of* CIRCUIT.

20*th*. That for the trial of criminal cauſes, there be eſtabliſhed four Courts of Circuit, three for the province of Bengal, and one for the province of Behar.

21*ſt*. That the province of Bengal be formed into three diviſions, to be called the diviſions of Calcutta, Mooſhedabad and Dacca, and that a Court of Circuit be eſtabliſhed in each, to be denominated the Courts of Circuit for the diviſions of Calcutta, Mooſhedabad and Dacca, according to the diviſion in which they may be reſpectively eſtabliſhed.

22*d*. That the Court, eſtabliſhed in the Province of Behar, be denominated the Court of Circuit for the diviſion of Patna.

23*d*. That the following diſtricts be included in the ſeveral diviſions:

CALCUTTA DIVISION.

The diſtricts under the Collectors of Nuddea, Beerbhoom, Ramghur, (thoſe in Behar excepted,) Burdwan, Midnapoor, the ſalt diſtricts, the Twenty-four Pergunnas, Jeſſore, and the diſtricts under the Collector of the town of Calcutta, not being within the juriſdiction of the Supreme Court of Judicature.

MOORSHEDABAD DIVISION,

The city of Moorſhedabad and the diſtricts under the Collectors of Moorſhedabad, Boglepoor, Rajeſhahee, Purneah, Dinagepoor, Rungpoor, and the Commiſſioner at Cooch Behar, excluſive of the independent territories of the Rajah of Cooch Behar.

DACCA DIVISION.

The city of Dacca, and the diſtricts under the Collectors of Silhet, Dacca Jelalpoor, Momenſing, Tiperah and Chittagong.

PATNA DIVISION.

The City of Patna, and the diſtricts under the Collectors of Behar, Shahabad, Sarun and Tirhoot, and the diſtricts in Behar under the Collector of Ramghur.

24*th*. That each of the Courts of Circuit be ſuperintended by two covenanted Civil Servants of the Company to be denominated Judges of the Court of Circuit for the diviſion to which they are reſpectively appointed, aſſiſted by a Cazee and a Mufty.

25*th*. That the Judges of the Courts of Circuit, previous to entering upon the execution of the duties of their office, do take and ſubſcribe the following oath before the Governor General in Council, or ſuch perſon as he may appoint to adminiſter the ſame.

"I ſolemnly ſwear, that I will truly and faithfully execute the duties of ſenior (or junior) Judge of the Court of Circuit for the diviſion of that I will adminiſter juſtice to the beſt of my ability, knowledge, and judgment, without fear, favour, promiſe or hope of reward; and that I will not receive directly or indirectly any preſent or Nuzzer either in money or in effects of any kind, from any party in any ſuit or proſecution, or from any perſon whomſoever, on account of any ſuit or proſecution to be inſtituted, or which may be depending, or have been decided, in the Court of Circuit under my juriſdiction; nor will I knowingly permit any perſon or perſons under my authority or in my immediate ſervice, to receive directly or indirectly any preſent or Nuzzer, either in money or in effects of any kind, from any party in any ſuit or proſecution, or from any perſon whomſoever, on account of any ſuit or proſecution to be inſtituted, or which may be depending or have been decided, in the Court of Circuit under my juriſdiction, nor will I directly or indirectly derive any profits from my ſtation except ſuch as the orders of Government do or may authorize me to receive. So help me God."

26th. That the Regiſters to the Courts of Circuit do take and ſubſcribe, before the Judges of the Court to which they may reſpectively belong, the following oath.

"I Regiſter of the Court of Circuit for the diviſion of ſolemnly ſwear, that I will truly and faithfully perform the duties of Regiſter of this Court according to the beſt of my knowledge and ability; and that I will not receive directly or indirectly any preſent or Nuzzer, either in money or in effects of any kind, from any party in any ſuit or proſecution to be inſtituted, or which may be depending, or have been decided, in the Court of Circuit of which I am Regiſter; nor will I directly or indirectly derive any profit from my office, except ſuch as the orders of Government do or may authorize me to receive. So help me God."

27th. That the Cazees and Muftees of the Courts of Circuit be nominated by the Governor General in Council, and that they be not removable except by his orders, and on proof to his ſatisfaction of their being incapable or having been guilty of miſconduct.

28th. That the Cazees and Muftees of the Courts of Circuit, previous to entering upon the execution of the duties of their reſpective offices, do take and ſubſcribe the following oath before the Court of Nizamut Adaulut, or ſuch perſon as that Court may appoint to adminiſter the ſame.

"I Cazee (or Mufte) of the Court of Circuit for the diviſion of ſolemnly ſwear, that I will truly and faithfully perform the duties of Cazee (or Muftee) of this Court according to the beſt of my knowledge and ability; and that I will not receive directly or indirectly any preſent or Nuzzer, either in money or in effects of any kind, from any party in any ſuit or proſecution, to be inſtituted, or which may be depending, or having been decided, in the Court of Circuit of which I am Cazee (or Muftee); nor will I directly or indirectly derive any profit from my office, except ſuch as the orders of Government do or may authorize me to receive."

29th. That at the expiration of every ſix months, that is, on the 1ſt January and 1ſt July in each year, the Cazees and Muftees of the Courts of Circuit do take and ſubſcribe the following oath.

"I Cazee (or Muftee) of the Court of Circuit for the diviſion of ſolemnly ſwear, that from the to the I have truly and faithfully executed the duties of Cazee or (or Muftee) of this Court according to the beſt of my knowledge and ability; and that I have not received directly or indirectly any preſent or Nuzzer, either in money or in effects of any kind, from any party in any ſuit or proſecution, or from any perſon whomſ ever, on account of any ſuit or proſecution which has been, or is to be inſtituted, or is depending, or has been decided, in the Court of Circuit of which I am Cazee (or Muftee); nor have I directly or indirectly derived any profit from my office except ſuch as the orders of Government have authorized me to receive."

30th. That the appointment and removal of the Moonſhees and other native officers of the Courts of Circuit be left to the Judges of the reſpective Courts.

31ſt. That there be two general jail deliveries annually, for which purpoſe the Judges ſhall make two Circuits through their reſpective diviſions in each year, ſetting out on the firſt Circuit on the 1ſt March, and on the ſecond on the 1ſt October. The Courts ſhall proceed to the places of reſidence of the Magiſtrates of the ſeveral diſtricts within their juriſdiction; and ſhall remain at each ſtation, until all perſons, committed or held to bail for trial by the Magiſtrate of that ſtation, ſhall have been tried and ſentenced.

The Courts for the diviſions of Moorſhedabad, Dacca, and Patna, after having completed each Circuit, ſhall fix their reſidence at Moorſhedabad, Dacca and Patna reſpectively, and ſhall proceed to try all perſons committed or held to bail for trial by the Magiſtrates of thoſe Cities.

32d. That the proceedings on the trial of the priſoners be conducted in the following manner.

The charge againſt the priſoner, his confeſſion (which is always to be received with circumſpection and tenderneſs), the evidence in favour of the proſecution if he plead not guilty, and that which the priſoner may have to adduce, including his defence, being all heard and gone through in his preſence and in that of the Cazee and Muftee of the Court, the Cazee and Muftee are then to write at the bottom of the record of the proceedings held on the trial the Futwa or law as applicable to the circumſtances of the caſe, and to atteſt the ſame with their ſeals and ſignatures. The Judges of the Court ſhall attentively conſider ſuch Futwa, and if it ſhall appear to them that the ſame is conſonant to natural juſtice, and at the ſame time in conformity to the Muhamedan law under the reſtrictions ſpecified in the 33d and 34th articles of theſe Regulations, they are then to approve thereof in the terms of the ſaid Futwa and to paſs ſentence, and to iſſue their warrant to the Magiſtrate for the ſame to be executed without further reference or delay, except in caſes where death or perpetual impriſonment is to be inflicted, all which ſentences, with Perſian copies and Engliſh tranſlates of the proceedings on which the ſame ſhall have been paſſed, as well as the proceedings and ſentences in all ſuch trials of which the Judges ſhall ſee cauſe to diſapprove either on the ground of the trial or the Futwa, are to be reported to the Nizamut Adaulut, and the Judges are to wait the final ſentence of that Court before ſuch Futya be carried into effect.

33d. That the doctrine of Yuſef and Muhamed in reſpect to trials for murder be the general rule for the officers of the Courts to write the Futwas or law opinions applicable to the circumſtances of every ſuch trial, and that the diſtinctions made by Aboo Huneefah as to the mode of the commiſſion of murder be no longer attended to, or in

other words, that the intention of the criminal either evidently or fairly inferrible from the nature and circumſtances of the caſe, and not the manner or inſtrument of perpetration (except as evidence of the intent), do conſtitute the rule for determining the puniſhment.

34*th*. That in caſes of murder, the relations be in future debarred from pardoning the offender; and that the law be left to take its courſe upon all perſons convicted thereof without any reference to the will of the kindred of the deceaſed.

35*th*. That the Judges of the Courts of Circuit be enjoined to report to the Nizamut Adaulut every inſtance in which it ſhall appear to them that the Cazees and Muftees of their reſpective Courts have been guilty of miſconduct in the diſcharge of their duty.

36*th*. That the Judges do viſit the goal at each ſtation, and iſſue ſuch orders to the Magiſtrates for the better treatment and accommodation of the priſoners as they may think adviſable.

37*th* That the Judges do report to the Nizamut Adaulut every inſtance in which it ſhall appear to them that any Magiſtrate has been guilty of neglect or miſconduct in the diſcharge of his duty.

38*th*. That the Judges do ſubmit occaſionally for the conſideration of the Nizamut Adaulut ſuch propoſitions as may appear to them calculated for the better regulation of the trial of priſoners, or for the improvement of the general police of the country.

39*th*. That in all caſes where the Judges ſhall differ in opinion, the Senior Judge ſhall have the caſting voice, and the Judges ſhall be at liberty to enter upon their proceedings the reaſons on which their reſpective opinions are grounded.

40*th*. That in the event of the occaſional abſence or indiſpoſition of either of the Judges, it ſhall be competent for the other Judge to hold a Court and to proceed on the trial of the priſoners.

REGULATIONS *for the* NIZAMUT ADAULUT.

41*ſt*. That the Nizamut Adaulut or chief Criminal Court be removed from Moorſhedabad and eſtabliſhed at Calcutta.

42*d*. That this Court do conſiſt of the Governor General and Members of the Supreme Council, aſſiſted by the Cazee-ul-Cuzat or head Cazee of the Provinces, and two Muftees.

43*d* That the Court do meet once in every week, or as often as the ſtate of buſineſs ſhall require, and that a regular diary be kept of all their proceedings.

44th. That the Court do exerciſe all the powers lately veſted in the Naib Nazim as Superintendent of the Nizamut Adaulut, leaving the declaration of the law, as applicable to the circumſtances of the caſe, to the Cazee-ul-Cuzat and the Muftees agreeable to former practice.

45th. That for the conduct of the executive buſineſs of the Court, there be appointed a Regiſter with the official appellation of Regiſter to the Nizamut Adaulut.

46th. That the Regiſter to the Nizamut Adaulut and the Cazee-ul-Cuzat and the Muftees, previous to entering upon the execution of their reſpective offices, do take and ſubſcribe before the Court of Nizamut Adaulut the ſame oaths as are required to be taken and ſubſcribed by the Regiſters and law officers of the Courts of Circuit.

47th. That the deciſions of the Court be in all caſes regulated by the Muhamedan law under the reſtrictions contained in the 33d and 34th Articles of theſe Regulations.

48th. That the Cazee-ul-Cuzat and the Muftees be required to meet at the office of the Regiſter three times in every week, or oftener if the ſtate of buſineſs ſhall require; and that the Regiſter do ſubmit to them the Perſian copy of the proceedings in all trials that may be referred by the Courts of Circuit for the final deciſion of the Nizamut Adaulut; and after duly conſidering the ſame, that they write at the foot of the proceedings, before they leave the office of the Regiſter, whether the Futwa or ſentence paſſed on the caſe by the law officers of the Court of Circuit is conſiſtent with the evidence and conformable to the Muhamedan law under the reſtrictions ſpecified in the 33d and 34th Articles of theſe Regulations, and ſubſcribe their names and affix their ſeals to their reſpective opinions.

49th. That the Regiſter do ſubmit the proceedings in the caſes ſo reviſed by the Cazee-ul-Cuzat and the Muftees to the Nizamut Adaulut at their next meeting, and that the Court, after peruſing the proceedings of the Court of Circuit, the ſentence pronounced by the law officers of that Court, and the opinion of the Cazee-ul-Cuzat and the Muftees of the Nizamut Adaulut thereon, do paſs the final ſentence.

50th. That the Regiſter within three days after the paſſing of ſuch ſentence, or earlier if the ſtate of buſineſs ſhall permit, do tranſmit a copy thereof atteſted with his official ſignaturte and under the ſeal of the Nizamut Adaulut to the Judges of the Court of Circuit, who ſhall forthwith iſſue a warrant to the Magiſtrate of the diſtrict to carry the ſentence into execution. The Magiſtrate, upon the receipt of ſuch warrant, ſhall cauſe the ſentence to be executed without delay, and ſhall return the warrant to the Court of Circuit with an endorſement atteſted by his official ſeal and ſignature certifying the manner in which the ſentence has been executed. The Judges of Circuit ſhall forward the warrant ſo returned to the Nizamut Adaulut.

5*th*. That if the Court after due conſideration ſhall be of opinion, that any criminal who may be ſentenced to ſuffer capital or other puniſhment is a proper object for mercy, they ſhall ſubmit the circumſtances of his caſe to the Governor General in Council with a recommendation that he be pardoned, or that his puniſhment be mitigated, according as may appear to them adviſable.

5*th*. That the Court do take cognizance of all matters relating to the adminiſtration of juſtice in criminal caſes and the police of the country, and ſubmit ſuch propoſitions, as may appear to them calculated for the better regulation of the ſame, for the conſideration and ſanction of the Governor General in Council.

RULE *for the* GUIDANCE *of the* MAGISTRATES.——*Paſſed by the* GOVERNOR GENERAL *in* COUNCIL, *on the* 15*th April* 1791.

THE Magiſtrates are authorized to puniſh by fine perſons convicted of the offences which they are empowered to hear and determine without reference to the Courts of Circuit, in caſes in which the impoſing a fine ſhall appear to them preferable to ſentencing the offender to corporal puniſhment or impriſonment, as authorized by the 6th article of the Regulations paſſed on the 3d December 1790 In determining the amount of the fine, the Magiſtrate is to be guided by the rules and reſtrictions preſcribed for impoſing fines in the caſes ſpecified in the 7th Article of the above-mentioned Regulations.

REGULATIONS FOR THE COURTS OF CIRCUIT,

Extract from the Proceedings of the GOVERNOR GENERAL *in* COUNCIL, *under date the 7th October*, 1791.

RESOLVED that ſuch part of the 23d Article of the Regulations for the Courts of Circuit paſſed on the 3d December laſt as directs, that the Bengal diſtricts in the Collectorſhip of Ramghur ſhall be under the juriſdiction of the Calcutta Court of Circuit, be reſcinded, and that the ſaid diſtricts be for the future annexed to the juriſdiction of the Court of Circuit for the diviſion of Patna.

Extract from the Proceedings of the GOVERNOR GENERAL *in* COUNCIL, *under date the 8th October*, 1791.

Firſt. The proſecutor is to be allowed the option of carrying on the proſecution in perſon, or by a Vakeel duly appointed, except in caſes in which the Muhamedan Law requires the proſecutor to appear in perſon at the trial of the priſoner. This Regulation however is not meant to prohibit the Judges, cauſing proſecutors to attend in perſon in every caſe in which their *viva voce* evidence ſhall be deemed neceſſary, provided they be

not Muhamedan or Hindoo women of a rank or caſt, which according to the cuſtoms and prejudices of the country would render it improper to compel them to appear in a Court of Juſtice. If the proſecutors ſhall be women of this deſcription, and their evidence ſhall be deemed neceſſary, and the caſe ſhall be of ſuch a nature as to admit of its being taken by commiſſion, the Judges ſhall not require the attendance of ſuch women, but ſhall depute perſons to take their evidence in the manner preſcribed by the Muhamedan Law.

Second. If the attendance of any witneſs or witneſſes, on the part of the proſecutor or the priſoner, whoſe evidence the Law will not allow to be taken by commiſſion, cannot be procured, or if ſuch witneſs or witneſſes cannot be found, the Judges may poſtpone the trial until the next Circuit, if there ſhall appear to them ſufficient cauſe for ſo doing. If the attendance of ſuch witneſs or witneſſes cannot then be procured, or if he or they ſhall not have been found, the Judges may in like manner poſtpone the trial a ſecond time. But if the Judges and their Law officers ſhall be of opinion that the evidence of any witneſs or witneſſes who may be abſent is not neceſſary, they ſhall complete the trial without the evidence of ſuch abſent witneſs or witneſſes.

Extract from the Proceedings of the GOVERNOR GENERAL *in* COUNCIL, *under date the 9th October*, 1791.

RESOLVED, that the 32d and 34th Articles of the Regulations for the Courts of Circuit, paſſed on the 3d December 1790, be reſcinded, and that the following Regulations be adopted.

Firſt. That the proceedings on the trial of the priſoners be conducted in the following manner.

The charge againſt the priſoner, his confeſſion (which is always to be received with circumſpection and tenderneſs), the evidence in favor of the proſecution if he plead not guilty, and that which the priſoner may have to adduce, including his defence, being all gone through in his preſence, and in that of the Cazee and Muftee of the Court, the Cazee and Muftee are then to write at the bottom of the Record of the proceedings held on the trial the Futwa or Law as applicable to the circumſtances of the caſe, and to atteſt the ſame with their ſeals and ſignatures. The Judges of the Court ſhall attentively conſider ſuch Futwa, and if it ſhall appear to them, that the ſame is conſonant to natural juſtice, and at the ſame time in conformity to the Muhamedan Law, under the reſtrictions ſpecified in the 33d Article of the Regulations for the Court of Circuit paſſed on the 3d December 1790, they are then to paſs ſentence in the terms of the ſaid Futwa, (except in the caſes ſpecified in the two following Articles in which they are directed not to paſs any ſentence) and to iſſue their warrant to the Magiſtrate for the ſame to be executed without further reference or delay, except in caſes where death and perpetual

imprisonment is to be inflicted; all which sentences with Persian copies, and English translates of the proceedings on which the same shall have been passed, are to be reported to the Court of Nizamut Adaulut, and the Judges shall suspend the execution of such sentences until they receive the final sentence of that Court.

Second. When any person or persons shall be convicted of murder, the Judges shall cause the reference prescribed in such cases by the Muhamedan Law to be made to the heir of the slain. If the heir shall require the murderer to be punished with death (Kissas), the Judges shall pass sentence accordingly, transmitting all the proceedings held on the trial to the Nizamut Adaulut, and suspending the execution of the sentence until they shall receive the final sentence of that Court as directed in the preceding Regulation. But if the heir of the slain shall require Deyut or the price of blood, or shall pardon the murderer, the Judges shall not pass any sentence, but shall forward the record of the trial, including the Futwa of the Law officers and the requisition of the heir, to the Nizamut Adaulut, and wait the sentence of that Court.

Third. Whenever the Judges shall disapprove of any part of the proceedings held on a trial, or of the Futwa delivered by the law officers, they shall not pass any sentence on such cases, but shall complete the trial and transmit a copy of all the proceedings and of the Futwa of the law officers to the Court of Nizamut Adaulut, with a separate letter stating the grounds of their disapproval, and wait the sentence of that Court.

Extract from the Proceedings of the GOVERNOR GENERAL *in* COUNCIL, *under date the 10th October, 1791.*

The Governor General in Council having resolved that the punishment of mutilation shall not be inflicted on any criminal in future, all criminals hereafter sentenced by the Courts of Circuit to lose two limbs, shall, instead of being made to suffer such punishment, be imprisoned and kept to hard labour for fourteen years; and criminals sentenced to lose one limb shall, instead of being made to suffer such punishment, be imprisoned and kept to hard labour for seven years. The Judges are accordingly directed, whenever sentence of mutilation shall be passed on any criminal, to commute such punishment for imprisonment and hard labour in the manner abovementioned, and to issue their warrants to the Magistrates accordingly.

Extract from the Proceedings of the GOVERNOR GENERAL *in* COUNCIL, *under date the 11th October, 1791.*

The Judges of the Courts of Circuit shall refer to the Cazee and Muftee of their respective Courts all questions on points of law that may arise during the course of any trial, and regarding which they may not have been furnished with specific instructions from the Governor General in Council or the Nizamut Adaulut, and shall regulate their proceedings by the answers which may be delivered by those officers. If such answers

EXTRACT *from the Resolutions of the* GOVERNOR GENERAL *in* COUNCIL, *in the* REVENUE DEPARTMENT, *under date the 24th February*, 1792.

Resolved, that the several Magistrates do hear and determine, without any reference to the Courts of Circuit, all complaints or prosecutions brought before them for petty thefts, when the same shall not have been attended with any aggravating circumstances, or have been committed by persons of notorious bad characters; and punish such offences, when proved, by corporal punishment not exceeding thirty ratans, or imprisonment not exceeding one month.

Resolved, that the Judges of the Courts of Circuit be vested with power to direct the Magistrates to punish any person or persons who may be guilty of contempt to the Court in open Court, by corporal punishment not exceeding fifteen ratans, or imprisonment not exceeding fifteen days.

EXTRACT *from the Proceedings of the* GOVERNOR GENERAL *in* COUNCIL, *in the* REVENUE DEPARTMENT, *under date the 13th April*, 1792.

RESOLVED AS FOLLOWS:

1st. That in cases of murder the refusal of the relations to prosecute be no longer considered as a bar to the trial or condemnation of the offender; but in the event of such refusal, that the Courts of Circuit proceed on the trial in the same manner as if the slain had no heir; and when the proceedings are completed, that they require their law officers to declare what would have been the Futwa thereon supposing the heir had been the prosecutor and been present at the trial.

2d. That the rule laid down in the preceding Article be also applied to all cases of murder wherein it shall be known that the slain has an heir who is legally entitled to claim Kesaus, but who shall neither appear after a reasonable time has been allowed to elapse for him to hear of the murder and repair to the station at which the prisoner is to be tried, or communicate his intention by Vakeel or otherwise of pardoning the offender.

3d. That in either of the cases mentioned in the above Regulations the Judges shall not pass any sentence, but shall forward the record of the trial and the Futwa of their law officers to the Nizamut Adaulut, who, provided they approve of the proceedings held on the trial, shall pass such sentence as they would have passed had the heir been the prosecutor and been present at the trial.

RULES *for the Guidance of the* NIZAMUT ADAULUT *and the* COURTS *of* CIRCUIT, *passed by the* GOVERNOR GENERAL *in* COUNCIL *in the* REVENUE DEPARTMENT, *on the 27th April*, 1792.

1st. That the religious tenets of witness be no longer considered as a bar to the conviction or condemnation of a prisoner; but in cases in which the evidence given on a trial would be deemed incompetent by the Muhamedan Law on the plea of the persons giving such evidence not being of the Muhamedan religion, that the law officers of the Courts of

Circuit do declare what would have been their Futwa ſuppoſing ſuch witneſſes had been of the Muhamedan perſuaſion.

2d. That in the caſe ſpecified in the preceding Article, the Courts of Circuit ſhall not paſs ſentence, but ſhall complete the trial, and tranſmit a copy of their proceedings and of the Futwa to the Court of Nizamut Adaulut, who, provided they approve of ſuch proceedings, ſhall paſs ſuch ſentence as they would have paſſed had the witneſſes for the proſecution been Muhamedans.

3d. That in all caſes in which the Courts of Circuit are directed not to paſs ſentence, the Judges are to accompany the record of the trial ordered to be tranſmitted to the Nizamut Adaulut with their opinion on the merits of the caſe.

RULE *for the Guidance of the* MAGISTRATES, *paſſed by the* GOVERNOR GENERAL *in* COUNCIL *in the* REVENUE DEPARTMENT *on the 18th of May*, 1792.

That the 19th Article of the Regulations paſſed on the 3d of December 1790 be reſcinded, and that in lieu of it the following Regulation be adopted.

That the Magiſtrates be required to tranſmit monthly to the Regiſter of the Nizamut Adaulut the following reports, drawn out according to the Engliſh months, ſo as to arrive in Calcutta by the 20th of the enſuing month, that they may paſs regularly under the inſpection of the Court of Nizamut Adaulut.

1ſt. Report or Liſt of Priſoners confined under Sentence.

No.	Name.	Crime.	Puniſhments.		Date of Commitment.	Sentence when paſſed.	Removal and to what place.	Natural death and when.	Eſcaped and when.	Releaſed.
			Perpetual Impriſonmt.	Temporary Impriſonmt.						
1	Muhamed.	Murder	P. I.		1ſt Oct. 1790.	1ſt Jan. 1791.		20th May 1791.		
2	Mauſſoom.	Theft.		6 Months.	2d Oct. 1790.	2d Jan. 1791.			21ſt May 1791.	
3	Sukoor	Houſe-breaking.	P. I.		3d Oct. 1790.	3d Jan. 1791.	To Bhaugulpoor, 22d May 1791.			
4	Jeetoo	Fraud.		4 Months.	4th Oct. 1790.	4th Jan. 1791.				Releaſed 4th May 1791.

ABSTRACT—Perpetual Impriſonment, - - - - 2
Temporary Impriſonment, - - - - 2
4

Removed, - - - - - - - - 1
Natural Death, - - - - - - 1
Eſcaped, - - - - - - - - 1
Releaſed, - - - - - - - - 1
4

Remaining in Confinement, - - - 0

2d. Report or list of persons on whom sentence has been passed by the Court of Circuit for the division of in the month of without reference to the Nizamut Adaulut.

No	Name.	Date of commitment.	Crime	Date of Trial	Sentence.	Sentence when passed.	When enforced.
1	Muhamed	1st Jan 1791	Theft	1st May 1791.	10 Ratans.	2d May 1791.	3d May 1791.
2	Harroo	2d Jan 1791	House-breaking	2d May 1791.	1 year's imprisonment	3d May 1791	4th May 1791.
3	Buxoo	3d Jan 1791	Beating Meegoa	3d May 1791.	To pay the Pty 5 Rs and be released	4th May 1791.	5th May 1791
4	Aamanullah	4th Jan 1791	Suspicion of Theft	4th May 1791	To be released	5th May 1791.	6th May 1791

ABSTRACT—Punished with stripes, - - - - - 1
Imprisoned, - - - - - - - 1
Fined, - - - - - - - - - 1
Released, - - - - - - - - - 1

Total 4

3d, Report or list of prisoners tried and their causes referred to the Nizamut Adaulut in the present and former months on which the sentence of that Court has not been received.

No	Name	Date of Commitment.	Crime.	Date of Trial	When referred.
1	Dulal	1st December 1790.	Murder.	1st January 1791.	2d January 1791
2	Sheebpo	2d April 1791	Decoiting.	2d May 1791.	3d May 1791.

ABSTRACT—Referred in former months, - - - - 1
Ditto in the present month, - - - - 1

Total 2

4th. Report or liſt of the ſentences of the Nizamut Adaulut received in the preſent month upon references made in the current and former months.

No.	Names.	Date of commitment.	Crime.	Date of Reference.	Sentence.	Sentence when paſſed.	When enforced.
1	Muhamed.	1ſt January 1791.	Murder.	2d April 1791.	Death.	15th May 1791.	26th May 1791.
2	Dulal.	2d January 1791.	Decoiting.	3d May 1791.	Perpetual Impriſonment.	16th May 1791.	27th May 1791.
3	Namdar.	3d January 1791.	Burglary.	4th May 1791.	10 Years Impriſonment.	17th May 1791.	28th May 1791.
4	Sukoor.	4th January 1791.	Manſlaughter.	5th May 1791.	To pay the Deyut.	18th May 1791.	29th May 1791.
5	Mauſoom.	5th January 1791.	Robbery.	6th May 1791.	39 ſtripes with the Kodah.	19th May 1791.	30th May 1791.
6	Jowlie.	6th January 1791.	Theft.	7th May 1791.	To be releaſed.	20th May 1791.	31ſt May 1791.

ABSTRACT—Death, - - - - - - - - - - - 1
Perpetual Impriſonment, - - - - - - 1
Temporary ditto, - - - - - - - - - 1
Stripes, - - - - - - - - - - - - - 1
To pay the Deyut, - - - - - - - - 1
Releaſed, - - - - - - - - - - - 1
Total 6

5th. Report or liſt of priſoners under the Magiſtrate's charge to be tried.

No.	Name.	Crime.	Date of Commitment.	Trial commenced and when	Trial not commenced.	At large under Security.	In Jail.
1.	Muhamed.	Theft.	1ſt May 1791.	Commenced 30th May 1791.			In Jail.
2.	Sukoor.	Houſe-breaking.	2d May 1791.		Not commenced.	At large under Security.	

ABSTRACT—In confinement, - - - - - 1
Under ſecurity, - - - - - 1
Total 2

REGULATION *respecting Warrants for the execution of Sentences of the* NIZAMUT ADAULUT.—*Paſſed by the* GOVERNOR GENERAL *in* COUNCIL, *on the 15th June*, 1792.

That ſo much of the fiftieth article of the Regulations for the Nizamut Adaulut, paſſed on the 3d December 1790, as directs the Judges of the Courts of Circuit to forward to the Nizamut Adaulut all warrants iſſued by them to the Magiſtrates for the execution of ſentences paſſed by that Court, after ſuch ſentence ſhall have been executed, and the warrants ſhall have been returned to them by the Magiſtrates, *Be Reſcinded*, and that in future the Judges of the ſaid Courts do leave in the poſſeſſion of the Magiſtrates all warrants which they may iſſue to them, for the execution of ſentences paſſed by the Nizamut Adaulut, excepting warrants for inflicting capital puniſhment which are to be returned to the Judges of the Courts of Circuit by the Magiſtrates with the endorſement preſcribed in the abovementioned article, and to be forwarded by the Judges to the Nizamut Adaulut.

RULE *for the Guidance of the* MAGISTRATES, *paſſed by the* GOVERNOR GENERAL *in* COUNCIL, *on the 20th June*, 1792.

The Magiſtrates are directed to offer a reward of ten Sicca Rupees for every Dakoit that may be apprehended and delivered into their cuſtody. The reward to be paid upon conviction of the offender.

RULE *for the Guidance of the* MAGISTRATES, *paſſed on the 13th July*, 1792.

The Magiſtrates are authorized to pay to all perſons who ſhall be releaſed from the Foujdary jail after having ſuffered an impriſonment of ſix months or upwards calculating from the date of their ſentence, and who ſhall appear to be in actual need of ſuch aſſiſtance, a ſum ſufficient to maintain them for one month. The ſum to be paid to each individual is to be regulated by his ſituation in life, but is in no caſe to exceed five Rupees, and is in every inſtance to be confined as much within that amount as may be conſiſtent with the purpoſes of the Regulation.

REGULATIONS *for the Guidance of the* MAGISTRATES *and the* JUDGES *of the* COURTS *of* CIRCUIT.—*Paſſed by the* GOVERNOR GENERAL *in* COUNCIL *in the* REVENUE DEPARTMENT, *on the 14th September*, 1792.

Firſt. The Magiſtrates are directed to pay to all proſecutors and witneſſes who ſhall appear to be actually in need of ſuch aſſiſtance, a daily allowance of two Annas each during their attendance on the Courts of Circuit, and the ſame allowance for as many days as in their opinion may be ſufficient for ſuch proſecutors and witneſſes to come from and return to their reſpective homes.

Second. As ſoon as the buſineſs of the Circuit at each ſtation ſhall be concluded, the Magiſtrate ſhall preſent an account of the ſums thus expended to the Judges, who ſhall counterſign the ſame provided they find it to be correct. Such counterſignature ſhall be ſufficient authority for the Magiſtrate to inſert the amount in his accounts.

REGULATION *for the Guidance of the* JUDGES *of the* COURTS *of* CIRCUIT.—*Paſſed by the* GOVERNOR GENERAL *in* COUNCIL *in the* REVENUE-DEPARTMENT, *on the 14th September*, 1792.

The Judges of the Courts of Circuit are to tranſmit to the Nizamut Adaulut copies of the proceedings which they may hold on the trial of all priſoners who may be capitally convicted, or who in their opinion may be deſerving of being puniſhed with death, within ten days after ſuch proceedings are cloſed, or as much earlier as the ſtate of buſineſs may permit.

RULE *for the Guidance of the* JUDGES *of the* COURTS *of* CIRCUIT.—*Paſſed by the* GOVERNOR GENERAL *in* COUNCIL, *on the 29th October*, 1792.

The rule laid down in the firſt Article of the Regulations, paſſed by the Governor General in Council on the 13th of April 1792, is to be conſidered as applicable to all caſes of murder, wherein the heir of the ſlain ſhall not have attained the proper age to be entitled by the Muhamedan law to claim Keſaas.

2*d*. In caſes of the above nature, the Judges are not to paſs ſentence, but are to forward the record of the trial and the Futwa of their law officers to the Nizamut Adaulut; who, provided they approve of the proceedings held on the trial, ſhall paſs ſuch ſentence as they would have paſſed had the heir attained the proper age to be entitled to proſecute and had been preſent at the trial.

REGULATIONS *for the* SUDDER *and* MOFUSSIL CAZEES, *paſſed by the Governor General in Council, on the 10th June*, 1793.

Firſt. The Cazee-ul-Cuzat of Bengal and of Behar ſhall in future be appointed by the Governor General in Council, and the perſons who now hold or may be hereafter nominated to theſe offices, ſhall not be removed therefrom but by the expreſs directions of the Governor General in Council, and upon proof to his ſatisfaction of incapacity or miſconduct.

Second. The perſons now holding the office of Cazee in any of the Pergunnas, Cities, or Towns, in the Provinces of Bengal, Behar and Oriſſa, or who may be hereafter appointed to ſuch office, ſhall not be removed therefrom without the expreſs directions of the Governor General in Council, and upon proof to his ſatisfaction, of incapacity or miſconduct.

Third. When the office of Cazee in any Pergunna, City, or Town, ſhall become vacant by death, reſignation, or removal, the head Cazee of the Province in which ſuch Pergunna, City, or Town may be ſituated, ſhall immediately report the vacancy to the Governor General in Council, and recommend ſuch perſon as may appear to him beſt qualified for the ſucceſſion. If the perſon recommended ſhall be approved by the Governor General in Council, the head Cazee ſhall grant him a Sunnud under his ſeal and ſignature, and veſt him with the office. In the event of the Governor General in Council diſapproving of any perſons ſo recommended, the head Cazee ſhall name others duly qualified, who when approved by the Governor General in Council, ſhall receive Sunnude, and be veſted with the office, as above directed.

Fourth. The head Cazees ſhall report to the Governor General in Council every inſtance that may come to their knowledge in which the Cazees of any Pergunnas, Cities, or Towns, within their reſpective juriſdictions ſhall have been guilty of negligence, or miſconduct, in the diſcharge of their duty.

Fifth. The head Cazees of Bengal and Behar, are prohibited receiving, directly or indirectly, any fee, Ruſſoom, Nuzzur, or gratuity, either in money or effects, from the Cazee of any Pergunna, City, or Town, or from any perſon whom they may recommend for ſuch office. If either of the head Cazees ſhall be convicted of acting contrary to the true intent and meaning of this Regulation, he ſhall be diſmiſſed from his office, and the perſon paying ſuch Ruſſoom, fee, Nuzzur, or gratuity, if holding the office of Cazee in any Pergunna, City, or Town, ſhall be diſmiſſed from ſuch office.

Sixth. The above Regulations ſhall be printed with tranſlates in the Perſian and Bengal languages, and circulated by the head Cazees, to the Cazees of the ſeveral Pergunnas, Cities, and Towns with their reſpective juriſdictions.

REGULATIONS *for the* POLICE *of the* COLLECTORSHIPS *in* Bengal, Behar, *and* Oriſſa.—*Paſſed by the* GOVERNOR GENERAL *in* COUNCIL, *on the 7th December*, 1792.

The eſtabliſhment of an efficient Police throughout the country, whereby offenders may be deprived of all hope of eluding the purſuit of the officers of juſtice, being as eſſential towards deterring people from committing crimes, as the ſpeedy and impartial trial of offenders when apprehended; and the clauſe in the engagements of the landholders, and farmers of land, by which they are bound to keep the peace, and in the event of any robbery being committed in their reſpective eſtates or farms, to produce both the robbers, and the property plundered, having not only been found nugatory, but in numerous inſtances proved the means of multiplying robberies and other diſorders from the colluſion which has ſubſiſted between the perpetrators of them, and the Police officers entertained by the landholders, and farmers of land, in virtue of the clauſe

abovementioned: The Governor General in Council, with a view to afford that protection to the perſons and property of the people which is eſſential to their happineſs, and to the public welfare, has been pleaſed to paſs the following Regulations, which are to ſuperſede all exiſting rules repugnant thereto.

Firſt. The Police of the country is in future to be conſidered under the excluſive charge of the officers of Government who may be ſpecially appointed to that truſt. The landholders and farmers of land, who keep up eſtabliſhments of Tannadars and Police officers for the preſervation of the peace, are accordingly required to diſcharge them, and all landholders and farmers of land are prohibited entertaining ſuch eſtabliſhments in future.

Second. Landholders and farmers of land are not in future to be conſidered reſponſible for robberies committed in their reſpective eſtates or farms, unleſs it ſhall be proved that they connived at the robbery; received any part of the property ſtolen, or plundered; harboured the offenders, aided, or refuſed to give effectual aſſiſtance to prevent their eſcape; or omitted to afford every aſſiſtance in their power to the officers of Government for their apprehenſion; in either of which caſes they will be compelled to make good the value of the property ſtolen or plundered.

Third. The Magiſtrates are to divide their diſtricts, including the rent-free lands, into Police juriſdictions. Each juriſdiction is to comprize an extent of country not exceeding ten Coſs ſquare. The guarding of each juriſdiction is to be committed to a Darogha or ſuperintendent with an eſtabliſhment of officers. The Daroghas with their eſtabliſhments are to be ſtationed in the centre of their reſpective juriſdictions; and the Magiſtrates are directed to endeavour to form the juriſdictions in ſuch a manner as to bring the principal Towns, Bazars, and Gunges, in the centre of them, that the Police eſtabliſhments may ſerve for the protection of theſe principal places, as well as the circumjacent country.

Fourth. The Police juriſdictions are to be numbered, and to be named after the central places at which the Daroghas and their eſtabliſhments may be ſtationed. The Magiſtrates are not to change the names or numbers of the juriſdictions, or to alter the limits of them without the ſanction of the Governor General in Council.

Fifth. The Magiſtrates are to nominate the Daroghas in the firſt inſtance, and to fill up all future vacancies. They will in conſequence be held reſponſible for ſelecting perſons duly qualified for the truſt. But no Darogha is to be removed from his office except upon proof of miſconduct to the ſatisfaction of the Governor General in Council, and no perſon is to be appointed a Darogha without giving a ſecurity for his appearance in the amount of 1000 Rupees, himſelf in 500 and two creditable perſons in 250 Rupees each.

Sixth. Any perſon, having a charge to prefer againſt another for murder, robbery, houſe breaking, theft, or other crime or offence, cognizable by the Criminal Courts, and who ſhall not chooſe to lodge it immediately before the Magiſtrate of the diſtrict, ſhall be at liberty to prefer it in writing to the Darogha of the juriſdiction in which the crime or offence may have been committed, or, if the offender ſhall have removed himſelf out of that juriſdiction, to the Darogha of the juriſdiction in which he may be found. Such Daroghas ſhall forthwith cauſe the party accuſed to be apprehended. If the charge ſhall be for murder, robbery, houſe-breaking, theft, or other heinous crime, the Darogha ſhall ſend the accuſed to the Magiſtrate under ſafe cuſtody within twenty-four hours after he ſhall have apprehended him. If the charge ſhall be for any crime or offence on which the Magiſtrates are authorized to decide, the Darogha ſhall require ſufficient ſecurity from the perſon accuſed to appear on a ſpecific day before the Magiſtrate. If he ſhall refuſe or be unable to give ſuch ſecurity, the Darogha ſhall ſend him under proper cuſtody to the Magiſtrate within twenty-four hours after he ſhall have apprehended him. When the party accuſed ſhall appear before the Magiſtrate, he ſhall proceed againſt him in the ſame manner as if he had been apprehended under his own warrant.

Seventh. The Daroghas are authorized to apprehend without a written charge, and without iſſuing a Duſtuck or writ, perſons found in the act of committing a breach of the peace, or againſt whom a general hue and cry ſhall have been raiſed, or who ſhall be detected with ſtolen goods in their poſſeſſion, and alſo the ſeveral deſcriptions of perſons ſpecified in the 9th Article. In every other caſe the Daroghas are prohibited apprehending any perſon without a charge preferred againſt him in writing under the ſeal or ſignature of the complainant, and without iſſuing a Duſtuck, or writ, for his apprehenſion under their official ſeal and ſignature.

Eighth. The Daroghas are in all caſes whatſoever to take ſecurity from the proſecutor and his witneſſes, to appear before the Magiſtrate on a ſpecific day, which ſhall be the day whereon the party accuſed may be bound to appear, if ſecurity ſhall have been taken from him for that purpoſe, or the day on which he may be expected to arrive at the Magiſtrate's place of reſidence; if he is to be forwarded thither under cuſtody.

Ninth. The Darogha upon receiving information of any notorious Decoits or robbers harbouring within his juriſdiction, ſhall apprehend them, and forward them under ſafe cuſtody to the Magiſtrate. He ſhall likewiſe apprehend and ſend to the Magiſtrate all Malaches, Syr Bejuas, or other deſcriptions of vagrants or ſuſpected perſons, who may be lurking about his juriſdiction without any oſtenſible means of ſubſiſtence, or who cannot give a ſatisfactory account of themſelves.

Tenth. It is to be underſtood, that the duty of the Darogha, with regard to perſons charged with crimes or offences, is to be confined to apprehending and ſending them un-

der safe custody to the Magistrate, or taking security for their appearance before him. He is not to discharge the parties accused after they are once apprehended except in the cases in which he is expressly authorized to release them upon security, or upon the parties delivering in a Razeenama in the case specified in the following article; nor to inquire into or pass sentence upon any complaint, or impose any fine, or inflict any punishment on the prosecutors or the accused or their respective witnesses under any pretext whatever.

Eleventh. In complaints for petty assaults and all other cases upon which the Magistrates are empowered to decide, the Daroghas are permitted to discharge the defendant, provided the complainant shall deliver a Razeenama, or writing desiring to withdraw his complaint, and the defendant shall also give a Razeenama, or writing agreeing to the complaint being withdrawn. These Razeenamas are to be attested by two creditable witnesses, and are to be transmitted to the Magistrate by the Darogha with his monthly Sehahut or report. If the parties shall not deliver in such Razeenamas, the case must be brought before the Magistrate.

Twelfth. All Pykes, Chokeydars, Paushauns, Dusauds, Nigahauns, Harees, and other descriptions of village watchmen are declared subject to the orders of the Darogha. He shall keep a register of their names, and upon the death or removal of any of them, the landholder or others, to whom the filling up of the vacancies shall belong, shall send the names of the persons, whom they may appoint, to the Darogha of the jurisdiction, that they may be registered by him as above directed.

Thirteenth. The Pykes, Paushauns, and other village watchmen mentioned in the preceding article, shall apprehend and send to the Darogha, any persons who may be taken in the act of committing murder, robbery, house breaking, or theft, or against whom a hue and cry shall have been raised. It shall be their special duty also to convey to the Darogha of the jurisdiction immediate intelligence of any robbers who may have concealed themselves in their respective villages or the country adjacent, and also of any vagrants or other persons who may be lurking about the country, without any ostensible means of subsistence, or who cannot give a satisfactory account of themselves. Pykes, Paushauns, or other village watchmen, who shall not act in conformity to this article, shall be dismissed from their stations, and shall be further punished as the law may direct, should it be proved that they assisted in harbouring or concealing any of the abovementioned descriptions of offenders or suspected persons, or connived in any respect at their malpractices.

Fourteenth. To enable the Magistrate to obtain speedy information of any crimes or offences that may be committed within the limits of his district, and for the more expeditious circulation of information of any robbery or breach of the peace to the neighbouring Magistrates or Daroghas of police, orders have been issued to all the Dawk officers in the Company's provinces, to receive and convey free of postage any letters which may be tendered to them by the Daroghas of police. Such letters are to be superscribed with

the name of the Darogha and of the jurisdiction over which he may preside, with the words "Kar Sircar" to denote that the letters relate to the public service. Any Darogha, who shall insert in such letters any matter not relating to the public service upon which he is employed, shall be dismissed from his office. In cases where the Daroghas shall be stationed at a considerable distance from the road by which the Dawk may travel, the following directions are to be observed as far as may be practicable. The Dawk officer shall deliver the letter to the proprietor or head person of the village on the road that may be nearest to the place at which the Darogha to whom the letter may be addressed shall reside, and take a receipt from him for it specifying the date of its delivery. The proprietor or head person of the village shall be held responsible for the letter being delivered to the Darogha to whom it is addressed without delay, unless the distance of his place of residence shall exceed five Cos, in which case such proprietor, or head person of the village, who received the letter from the Dawk officer, shall deliver it to the proprietor or head person of the first village the distance of which may exceed five Cos from the Dawk road and take a receipt for it. In this manner the letter shall be forwarded by the proprietors or head persons of the villages for the distance of five Cos each, until the letter reaches the officer to whom it is addressed. In like manner whenever the Daroghas, so stationed at a distance from the Dawk road, shall have occasion to send letters to the Dawk, the proprietors or head persons of villages shall convey them to the nearest Dawk Chokey in the same mode as they are required to convey to such Daroghas any letters that they may be delivered to them by the Dawk officers. As the places of residence of the Daroghas will be fixed, the names of the villages, to the proprietors or head persons of which it will fall to convey the letters between the place where the Daroghas may reside and the nearest Dawk Chokey or station, will soon be known to the Dawk officers and Daroghas, who, to prevent disputes arising between the landholders respecting the conveyance of letters as above directed, shall write on the back of all letters the names of the villages by the proprietors or head persons of which they are to be so conveyed. The Daroghas shall not only be authorized to dispatch letters by the public Dawks to the Magistrate to whose authority they are immediately subject and the other Daroghas in his district, but also to the Magistrates and Daroghas of any of the neighbouring districts, to whom they may have occasion to send notice of any breaches of the peace that may have been committed in their own or any other jurisdiction. And the Daroghas shall make it a rule whenever they receive intelligence of any murder or robbery having been committed in their own or any other jurisdiction, to dispatch immediate information of it to all the neighbouring Daroghas, and also to the Magistrates of the adjacent districts, unless they shall have apprehended the offenders. All landholders, Gomastahs, and other head persons of villages are required to pay strict obedience to these orders for conveying the letters of the Daroghas, and the Magistrates are directed to fix up copies of them in the head Cutcherry of every Pergunna throughout their respective districts.

Fifteenth. A concurrent authority is veſted in the ſeveral Magiſtrates and their officers in the caſes and under the reſtrictions following, viz.

The Daroghas and police officers ſubject to the authority of one Magiſtrate are empowered either under his warrant, or without ſuch warrant, to purſue robbers and murderers into the juriſdictions of other Daroghas, whether ſubject to the ſame Magiſtrate as themſelves, or to the Magiſtrates of any other diſtricts or city. The Magiſtrates, Daroghas, police officers, landholders, farmers, Gomaſtahs of villages, cultivators of land, and all other perſons having authority or reſiding in the juriſdiction into which the offenders may be purſued, are required to afford every aſſiſtance in their power to the purſuing officers for the apprehenſion of the offenders. It is to be underſtood, however, that this concurrent authority veſted in the Magiſtrates, and the police officers, is to extend only to caſes in which the crime with which the perſons purſued may be charged ſhall have been committed within their reſpective juriſdictions, or (in the event of the crime having been committed in any other juriſdiction) where the offender was actually within their juriſdiction when the charge againſt him was preferred to them. And it ſhall not be lawful for the Magiſtrate or Darogha of one diſtrict or juriſdiction to iſſue a warrant for the apprehenſion of any offender being or reſiding in another diſtrict or juriſdiction at the time of the complaint being preferred to them for any crime or offence not committed within the limits of their reſpective juriſdictions. In ſuch caſe the complainant muſt apply in the firſt inſtance to the Magiſtrate of the diſtrict, or the Darogha of the juriſdiction, in which the crime ſhall have been committed, or in which the offender may reſide or be found.

Sixteenth. Whenever the police officers employed under one Magiſtrate ſhall apprehend offenders in the diſtrict or juriſdiction of another Magiſtrate in virtue of the powers veſted in them by theſe Regulations, they ſhall immediately deliver to the Darogha of the police juriſdiction in which the offenders may be apprehended, a liſt of their names and a ſtatement of the crimes with which they are charged, and the ſaid Darogha ſhall immediately forward ſuch liſt and ſtatement to the Magiſtrate to whoſe authority he is ſubject.

Seventeenth. The Daroghas ſhall receive a commiſſion of ten per cent on the value of all property ſtolen or plundered which they may recover.

Eighteenth. It ſhall be the duty of the Daroghas to proceed in perſon or to depute one or more of their officers to the ſeveral Towns, Gunges, Bazars, and Hauts, on market days, to prevent any diſputes or diſturbances ariſing between the venders and purchaſers, or other perſons reſorting to the markets.

Nineteenth. The following Regulations, paſſed on the 15th November 1788, are made general, and it ſhall be the duty of the Daroghas to ſeize all boats uſed or built in oppoſition to them, and to apprehend and ſend to the Magiſtrate the artificers employed

in repairing or building ſuch boats, and to report to him the names of the landholders in whoſe village they may have been built or repaired, that the penalties preſcribed may be enforced againſt them.

Firſt. All perſons, the Magiſtrates of diſtricts excepted, are prohibited building making uſe of boats of the following deſcriptions.

	Covids length.	Covids breadth.
Luckhas,	40 to 90	2½ to 4
Jelkurs,	30 to 70	3½ to 5

Panchwals of Chandpoor carrying more than thirty oars.

Second. The Magiſtrates are directed to ſeize and confiſcate all boats of the foregoing deſcriptions, which may be found within the limits of their reſpective juriſdictions.

Third. Any Zemindar or other landholder, allowing any boat of either of the deſcriptions above ſpecified, to be built or repaired within the limits of his Zemindary, unleſs by a written order from the Magiſtrate of the diſtrict, ſhall forfeit to Government the village in which ſuch boat ſhall be proved to have been built or repaired.

Fourth. All carpenters, blackſmiths, or other artificers, are prohibited engaging for, or being employed in, the building or repairing of boats of the deſcriptions abovementioned, (unleſs by the expreſs permiſſion of the Magiſtrate of the diſtrict) under pain of being committed to cloſe impriſonment in the Foujdary jail for any period not longer than one month, or ſuffering corporal puniſhment not exceeding twenty ſtrokes with a ratan.

Twentieth. The Darogha of each juriſdiction ſhall ſend a monthly report (Selahut) in writing, to the Magiſtrates, which ſhall contain the names of all perſons whom he may have apprehended, their crimes and the date of their apprehenſion, alſo the date on which they were diſpatched to the Magiſtrate or releaſed either upon bail, or in conſequence of the parties having agreed to withdraw the complaint in the caſes ſpecified in the ſixth and eleventh articles, and alſo a circumſtantial detail of all other acts done by him in his official capacity. Theſe reports are to be diſpatched on the 5th of every month for the month preceding, by the public Dawks, or if they cannot be ſent by this mode of conveyance, by ſuch other as the Magiſtrate may direct. If it ſhall be proved that a Darogha has apprehended any perſon or iſſued orders, or done any official act, which ſhall not be inſerted and truly ſtated in his report, he ſhall be diſmiſſed from his office.

Twenty-firſt. If the Darogha of a juriſdiction ſhall commit any acts of corruption, extortion, or oppreſſion, or any act not authorized by theſe Regulations, the party injured is hereby permitted to proſecute him, either criminally before the Court of Circuit, or for damages in the Dewannee Adaulut. The Judges of the abovementioned Courts are required to take cognizance of all ſuch proſecutions or ſuits, as may be brought before

them under this Regulation, and to paſs ſuch ſentence or decree thereon as may appear to them equitable upon a conſideration of the circumſtances of the caſe.

Twenty-ſecond. The Magiſtrates are to furniſh the Daroghas of the ſeveral juriſdictions with a Sunnud of office, and a tranſlate of the above Regulations in the Perſian or Bengal languages. The Sunnud and tranſlate are to be atteſted with their official ſeal and ſignature.

REVENUE REGULATIONS.

EXTRACT *of Proceedings of the* PRESIDENT *and* SELECT COMMITTEE, *on 16th Auguſt*, 1769.

Agreed unanimouſly, that, in every province or diſtrict, a gentleman in the ſervice be appointed, with or without aſſiſtance, in proportion to the extent of the diſtrict; whoſe office or department is to be ſubordinate to the Reſident of the Durbar, and managed as is expreſsly ſet forth and defined in the following letter of inſtructions, which the Preſident has prepared and ſubmitted to our conſideration; with ſuch additions as may occaſionally be deemed neceſſary by the Reſident at the Durbar.

Letter of Inſtructions from the Reſident at the Durbar, to the ſeveral Supraviſors.

As the Board have judged it expedient to appoint Supraviſors on behalf of the Company in each particular province, with a view to aſcertain in a minute, clear, and comprehenſive manner, a variety of circumſtances which intimately concern the welfare of the country; the province of ———— is hereby placed under your inſpection, and the following objects are pointed out and diſtinguiſhed under reſpective heads, as a direction for your conduct, and an explanation of the ſervice expected from you in your department.

1. *A ſummary Hiſtory of the Province.*

You are to collect, under this head, the form of the ancient conſtitution of the province, compared with the preſent; an account of its poſſeſſors or rulers, the order of their ſucceſſion, the revolutions in their families, and their connections; the peculiar cuſtoms and privileges which they, or their people, have eſtabliſhed and enjoyed; and, in ſhort, every tranſaction which can ſerve to trace their origin and progreſs, or has produced any material changes in the affairs of the province.

2. *The State, Produce, and Capacity of the Lands.*

The firſt meaſure which ſhould occur to your attention in an inquiry of this nature, is to procure a complete Huſtabood, or rent-roll, with the number of Begahs, or meaſures of land, contained in each diſtrict, according to the original ſurveys and meaſurements,

and the method in which they were laid out and appropriated. The next is to fix the ancient boundaries and diviſions. This being completed, you may proceed to trace the alterations which chance, favour, art, or oppreſſion, have gradually produced in the face of the country until the preſent time. Many portions of land have been added to, or ſeparated from, the ancient diviſions; theſe ſhould be rigidly ſcrutinized and carefully noted. The Zemindars have enjoyed conſiderable tracts rent-free, on various pretences, and for various purpoſes. The abuſes in the beſtowal and ſale of Talooks are notorious, being generally the reward of the creatures of Government, obtained by unwarrantable means, and held with extraordinary immunities. The titles of the preſent poſſeſſors ſhould therefore be examined, together with the valuations of ſuch lands before they became Talooks, and before their owners acquired that independent footing; ſo that ſome judgment may be formed of their real revenue, and in what degree the limitation of the grant is exceeded by the quantity now held. Charitable and religious donations, which ſucceſſive Princes have made, many through zeal, but moſt through vanity, form no inconſiderable part of ſome diſtricts: and as it may reaſonably be ſuppoſed, that in a courſe of years the produce of ſuch benefactions has been miſapplied and perverted, or that the particular perſons or ſocieties, in whoſe ſupport they were granted, have fallen or decayed, it is expected that you diligently ſearch into and report their true ſtate. You are alſo to particularize the extent, production and value of Jaigheers; the titles of the preſent poſſeſſors, &c. as in the Talooks: of the lands called Khas, which are under the immediate ſuperintendence of Government, for want of farmers: of the Comar, which are lands cultivated by contract: of the Ryoty, which are tenanted and cultivated by the natives on the ſpot; and of the waſte lands, diſtinguiſhing ſuch as are cleared, and have been neglected through a decreaſe of population, from ſuch as are covered with Jungle.

Theſe informations, provided they be derived from genuine authorities, and confirmed by an accurate inſpection of your own, will enable you to compute what the productions of the country, deducting the conſumption of the inhabitants, will yield for the purpoſe of commerce; and how far the wealth and proſperity of it may be augmented by an encouragement being given to the culture of any particular article, either as a neceſſary of life, or as a material in manufactures.

3. *The amount of the Revenues, the Ceſſes, or arbitrary taxes, and of all demands whatſoever which are made on the Ryot, either by Government, Zemindar, or Collector, with the manner of collecting them; and the gradual riſe of every new impoſt.*

One capital grievance being the inequality of aſſeſſments ariſing from the multitude of Talooks and ſequeſtered lands above mentioned, you are to penetrate through the chicane of thoſe employed, and acquire an exact detail of every particular tax or Ceſs; not-

ing in what particular part of the country the burthen falls, where partial exemptions are allowed, and what is the equitable proportion to the whole. Another grievance, which is equal to the former, is the variety of demands which the Collector, from the Aumil and Zemindar to the loweſt Pyke, impoſe without any colour or licenſe from the Government; ſome of which have been ſo long exacted and paid, that the Ryots begin to imagine the oppreſſion is ſanctified by Government, and is not the mere fraud of the Collectors. The multiplying of ſuperfluous Agents and inferior Collectors may be alſo deemed a ſource of extortion; and it is a very eſſential part of your duty to inform yourſelf in what reſpect their numbers have been cauſeleſsly increaſed; to enumerate their perquiſites, and how much they may be ſuppoſed to exceed them. As likewiſe the expenſe and arrangement of Gauts and public markets, with the duties collected at each upon the inhabitants or traders, and the application of ſums to be levied.

Darogahs, Cutwalls, and Pykes, maintained for the protection of the tenants, are, it is to be feared, too often the inſtruments of their oppreſſion; at leaſt fall very ſhort of anſwering the end propoſed by them. Accounts ſhould be taken of their number and expenſe, how they are arranged, and how paid.

A third and equally important object of your attention, under this head, is to fix the amount of what the Zemindar receives from the Ryot, as his income or emolument; wherein they generally exceed the bounds of moderation, taking advantage of the perſonal attachment of their people, and of the inefficacy of the preſent reſtrictions upon them; ſince the preſence of the Aumil more frequently produces a ſcene of colluſion than a warineſs of conduct. When the ſum of the produce of the lands, and of each demand on the tenant, is thus aſcertained with certainty, the proportion of what remains to him for the ſupport of his family, and encouragement of his induſtry, will clearly appear, and lead us to the reality of his condition.

Amongſt the chief [illegible] hoped for from your reſidence in that province, and which ought never to be and never wander from your attention, are to convince the Ryot that you will [illegible] between him and the hand of oppreſſion; that you will be his refuge and the redreſſer of his wrongs; that the calamities he has already ſuffered have ſprung from an intermediate cauſe, and were neither known nor permitted by us: that honeſt and direct applications to you will never fail producing ſpeedy and equitable deciſions: that, after ſupplying the legal due of Government, he may be ſecure in the enjoyment of the remainder; and finally, to teach him a veneration and affection for the humane maxims of our Government.

4. *The Regulation of Commerce.*

Equal intricacy and ſimilar combinations will be found to oppoſe your progreſs in this work. The power, the artifice, the complicated connections of public and private Agents, Pycars, and Dellals, will all unite in preſerving their uſurpations on the inſtru-

facturer and Ryot; which they have hitherto done by precluding their access to our tribunals, and destroying every kind of intercourse between them and us. That one inquiry may precede another without confusion, or blending different causes with different effects, you should open your discoveries with an estimate of the productions of every district, both in quantity and kind; the amount of manufactures and the number of manufacturers employed in each branch, with the annual duties collected on them: not confining yourself to the present time, but recurring to past years; that, at one view, you may discern their state of increase and decrease; and by remarking the prices and qualities at distinct periods, you will in like manner become acquainted with the improvement or decline in the quality.

Your next consideration is to find the channels through which the several articles, produced by the joint labour of the manufacturer and cultivator, have been diffused. The proportion which fell to the English, French, Dutch, and other foreigners, as well as to the native merchant; likewise what was retained for the consumption of the districts themselves; concluding this research with a comparative view of the rise and fall in the demand, and stating the balance of the trade as it occasionally varied in favour of one or the other merchant. After you have advanced thus far, the most difficult and consequential task still remains for you to surmount; which is, to lay open and abolish the several species of imposition which are practised by Gomasthas, Pycars, Dellals, and the whole chain of agents through whose hands the articles of merchandize pass from the loom of the manufacturer, or the store-house of the cultivator, to the public merchant or exporter; so that clandestine agreements and extraordinary demands may no longer exist, to the utter despondency of the poor; but a way being opened for them to deal with the fair trader, their industry may be quickened by the certainty of their profits.

5. *The Administration of Justice.*

It is difficult to determine whether the original customs or the degenerate manners of the Mussulmans have most contributed to confound the principles of right and wrong in these provinces. Certain it is, that almost every decision of theirs is a corrupt bargain with the highest bidder. The numerous offences, which are compromised by fines, have left a great latitude for unjust determinations. Trifling offenders, and even many condemned on fictitious accusations, are frequently loaded with heavy demands, and capital criminals are as often absolved by the venal judge. Your conduct in all capital offences should be to enforce justice where the law demands it, checking every composition by fine or mulct; and where any disputes arise in matters of property, you should recommend the method of arbitration to any other; and inculcate strongly in the minds of the people, that we are not desirous to augment our revenue by such impositions, but to acquire their confidence by the equity and impartiality of our proceedings, and by our tenderness for their happiness. The arbitrators should be then chosen by the parties

themſelves, and of known integrity, and whoſe circumſtances may ſuppoſe them exempt from venality, and promiſe beſt to inſure their rectitude. In capital crimes, the ſentence ſhould, before execution, be referred to me, and by me to the miniſters, that they may ultimately approve or mitigate it, according to the peculiarity of the caſe. You are farther to obſerve, that the want of regular regiſters of all cauſes and determinations has encouraged the natural propenſity of the Judge to bribery and fraud by making him eaſy with reſpect to any future proſecution on a rehearing of the caſes which have been thus partially determined. Whereas, whilſt a reference to records is always open, he muſt live in perpetual fear of detection. One of theſe regiſters ſhould be lodged in the principal Cutcherry of the province, and an authenticated copy tranſmitted to Moorſhedabad. As to ſuits on account of revenues, theſe will, we are flattered, be much obviated in future by the happy conſequences of our poſſeſſing a real, local, and undiſguiſed knowledge of the country; which we promiſe ourſelves from the inveſtigation above mentioned, and from your diligence and exactneſs in the performance of the ſeveral duties.

For the Ryot being eaſed and ſecured from all burthens and demands but what are impoſed by the legal authority of Government itſelf, and future Pottahs being granted him, ſpecifying that demand; he ſhould be taught that he is to regard the ſame as a ſacred and inviolable pledge to him, that he is liable to no demands beyond their amount. There can, therefore, be no pretence for ſuits on that account; no room for inventive rapacity to practiſe its uſual arts: all will be fair, open, regular. Every man will know what he can call and defend as his own; and the ſpirit of lawleſs encroachmeut ſubſiding, for want of a field for exerciſe, will be changed into a ſpirit of induſtry; and content and ſecurity will take place of continual alarms and vexations.

I ſhall now proceed to give you ſuch inſtructions for effecting the above points, as experience has proved to be moſt eligible; and ſhall begin with obſerving, on the firſt head,—or

The History of the Provinces.

I would not have you embarraſs yourſelf with records more remote than thoſe of the reign of Sujah Cawn; as, at that æra of good order and good government, no alterations had taken place in the ancient diviſions of the country, and the confuſion which is now apparent has been poſterior to thoſe times. From that date, you will probably find records in the public Cutcherry, abounding with every material; but as ſome may be deſtroyed or mutilated, your reſource, in ſuch caſes, muſt be to conſult with men of the beſt underſtanding and longeſt experience in the diſtricts, from whom you will moſt likely meet with ſatisfactory information; and who, from many and prevailing motives, which are deducible from their natural character, will gladly contribute their ſtore of

knowledge to the account. In the courſe of this reference to living authorities, you will doubtleſs meet with various characters and claſſes of men, whoſe informations will be tinctured with the prejudices of education, habit, ſuperſtition, and other failings, but your own judgment muſt direct you in extracting the truth, and diſtinguiſhing between the private bias of individuals and the real ſtate of facts.

Secondly, the State, Produce, and Capacity of the Lands.

It will require your greateſt attention and application to enable you to form a general and particular Huſtabood, or rent-roll, of the diſtricts. You may, perhaps, find what is called a Huſtabood in the Sudder or principal Cutcherry: but this, inſtead of ſatisfying, muſt ſtimulate your curioſity; for the contents of it are merely adapted to the private intereſts of the Zemindars, filled with repreſentations deſignedly diſguiſed, to ſquare with their offers and accounts with Government, looſely, unfaithfully, and partially formed in every inſtance. In fact, they can ſupply you with little more than a progreſſive hiſtory of the preſent diſmemberments, and only ſuggeſt to you the degree of oppreſſion which the multiplication of Collectors and charges has, on that account, from time to time, brought upon the Ryots.

After this, you are to proceed to a local inveſtigation of the quantity of lands and their rents, which is to be performed by viſiting each diviſion yourſelf, and calling upon the Zemeendar or head Collector for the Huſtabood of the diviſion under his management. But you are not to content yourſelf with this: from hence you are to deſcend to the ſubdiviſions of the grand diſtrict, and to the ſmall Cutcherries of each Collector, however inconſiderable; and this will procure you a liſt of the Pottahs as diſtributed to every Ryot, and ſuppoſed to contain the quantity of land poſſeſſed by each, and the amount of rent with which it is charged. Thus you will be enabled to aſcertain how far the Huſtaboods, given in by the Collectors of the grand diviſions, differ from the Huſtaboods of the leſſer, from the principal down to the ſmalleſt ſubdiviſion. And by taking the ſum of any number of Pottahs in any particular place, and comparing the amount of thoſe Pottahs with the amount ſpecified in the Huſtaboods, you will arrive at a medium certainty of the exceſs or deficiency of the lands and rents as rated therein. And accordingly, as the error or fallaciouſneſs of the accounts ſhall appear to require it, you are to cauſe an exact meaſurement to be taken of portions of land in different places, in order to arrive at a judgment of the whole from the proportional parts. And that no colluſion between the Zemindars or Collectors may retard, elude, and counteract theſe important inquiries, the fear of loſing their Zemindarry or employment ſhould be held up to them; and if you find the aſſociation againſt you ſtrong and obſtinate, upon a repreſentation and ample proofs of his miſconduct produced to me, you may be aſſured that examples ſhall be immediately ordered, and every delinquent be made ſenſible that there is no room for lenity where colluſive oppreſſion is continued in defiance of all reſtriction. The Ryot too ſhould be impreſſed in the moſt forcible and convincing manner, that the ten-

dency of your measures is to his ease and relief; that every opposition to them is riveting his own chains, and confirming his servitude and dependence on his oppressors; that our object is not increase of rents, or the accumulation of demands, but solely by fixing such as are legal, explaining and abolishing such as are fraudulent and unauthorised, not only to redress his present grievances, but to secure him from all further invasions of his property.

I must here introduce a remark, which I recommend to your particular attention: if it should happen, that some very authentic and positive evidence is required to establish a particular suspicion, or that you are inclined to distrust an information; there is one, and indeed only one, safe, and easy method of proceeding. Select an intermediate person, unsuspected either by the officers of the Government or your own dependents, give him his orders yourself, and let him chuse another of the same occupation with the person from whom you would seek the information, who may be so entirely removed from you, and so peculiarly connected as to create no surmise of his commission; and let him, with the confidence and familiarity of an equal and fellow-sufferer, pretend to consult the other on his grievances and the means of redress. This will naturally produce the same openness on the other side, and he will readily obtain a sight or copies of any papers, agreement, &c. which may be wanting; and you will be in possession of them before the alarm of an inquiry can spread among the guilty, and give them an opportunity of combining against you.

On the contrary, were those precautions omitted, and a publicly announced scrutiny attempted, you must have a thousand obstructions to contend with, which are all obviated by the above mode of secrecy, and the use of intermediate agents, whom you may employ to any number, and contrive to check in such a manner as will deprive them of the power of deceiving you. Small rewards may likewise have weight, and ought not to be neglected; and it is not to be doubted, but that by a proper and prudent application of them joined to the abovementioned hints, you will become master of a perfect and extensive intelligence of every circumstance, however minute and enveloped. The evasions and artifices which are familiar to the natives of this country have often been successful in screening them from that open and manifest detection which can justify punishment. The good consequence of that positive evidence abovementioned, in any cases where the Zemindar or Collector are concerned, and rely on their customary defences, will put it in your power to call them to a public examination, and render their crime and their punishment equally notorious, without subjecting the authors of your information to the resentment of the Zemindars, or the obloquy of their neighbours.

Having thus obtained sufficient and authentic accounts of the rent-rolls of the districts, by searching into the papers and records of the smallest as well as the largest, comparing their respective Hustaboods, surveying and measuring the lands which appear rated above or below their real value and extent, you are to bring your investigation home to the Zo-

minder. For this purpoſe, the records are to be conſulted, and periods moſt applicable to the deſign ſeem to be theſe three; the Government of Sujah Cawn, of Aliverdy Cawn, and the preſent. By collating the Huſtaboods given in by the Zemindars with thoſe you obtain from the ſmaller diſtricts, you will diſtinguiſh the quantity of land which they have uſurped from the Government, and enjoy for their own uſe and advantage, free of rent. And again, by oppoſing the ſum of the Pottahs of any particular place in any ſubdiviſion to the ſum ſtated in its Huſtabood, you will alſo lay open the ſhares which the petty Collectors and their dependents have acquired for themſelves, after the example of their principals; for this ſpecies of fraud is carried on by general connivance, from the heads to the loweſt denominations. All lands, which are found to have been thus illegally diſmembered, are to be immediately re-annexed, and a reſumption ſet on foot by Government.

Beſides theſe advantages which the Zemindar poſſeſſes by the ſecret appropriation of land, and has ſecured to himſelf by partial Huſtaboods, he has an originally allowed title to the freehold of ſome lands, and to the enjoyment of ſome perquiſites; but abuſes have crept alike into them all. The meaning and intent of his being indulged with ſuch excluſive poſſeſſions was to ſupply his family with the neceſſaries and conveniencies of life. Under the name of Nejaut and Nankar, one ſpot was to yield him rice, another was alloted to him as paſture; a particular tank was to afford him fiſh and water; and, in like manner, diſtinct ſpots were given up to him for every diſtinct article of conſumption. Though this indulgence was confined to this purpoſe only, there is juſt cauſe for ſuppoſing that he has extended his claims, and availed himſelf of opportunities to lay his hands on the revenues of the Government, and on the property of the Ryots, where he has no foundation of right, nor colour of pretence.

The Nuzzer-anna, which is called Sedee, and conſiſts both in proviſions and money, is an inſtance of it; and neither he nor his attendants move from one place to another, without demanding and exacting it from the inhabitants of his diſtrict; a cuſtom which ought to be permitted only under reſtrictions, in a manner that the Ryots may not wantonly be deſpoiled, but the demand limited to a reaſonable contribution.

Another conſiderable ſource of profit to him is the levying of fines at will, which is a power that ought to be totally extinguiſhed. He likewiſe raiſes large ſums from duties collected in the markets, and aſſumes an authority over the Ryots to require their labour gratuitouſly, which ſometimes might be allowed, were not the poor labourer too often taken under this pretence from his own immediately neceſſary duty, to attend the mere arbitrary pleaſure of his Zemindar, who receives large preſents out of the various productions of the diſtrict, which, though intended originally for his own private conſumption, is often ſold by his dependants. Add to theſe, he frequently claims a Batta on Rupees at an arbitrary valuation, which is an illegal perquiſite, and ought to be diſcontinued in fu-

ture. Theſe and all ſuch exceſſes in the Zemindar, which need not be here mentioned, as they will open to you as you proceed, ſhould be retrenched; and all his emoluments of every kind be reduced to the fulfilling the purpoſes for which they were granted, and there bounded.

The Talooks, Jagheers, and charitable or religious donations come next under conſideration. You are to call for a particular account of all lands which are held on theſe tenures; and that every motive to concealment may be deſtroyed, it ſhould be particularly notified, that whatever proprietor delays reporting his name, and the ſtate of his grants or purchaſes, after a time prefixed, is to forfeit them to the Government. By taking care to fix the period for regiſtering their Sunnuds far beyond what is neceſſary, you will anticipate all pleas which may be preſented in behalf of neglects, and have no room to diſpute the equity of the forfeiture.

I have before taken notice of the undue means of obtaining Talooks, which are either beſtowed on ſome favourite or underling of the Government, or purchaſed by one individual of another; but as the title cannot ſtand clear or valid, without a confirmation of it from the Nabob, in both caſes where ſuch cannot be made appear, the title becomes void, and the Talook reverts to the Government.

For theſe reaſons you ſhould enter deeply and ſtrictly into the merits of the Talookdars, with reſpect to their families, their connections and pretenſions; and particularly remark the flaws and exceptions which occur to you.

The increaſe in the number of Talooks has been highly impolitic, and detrimental to the general proſperity, and to the diffuſion of population in the country. The tenants of a Talook are poſſeſſed of ſo many indulgencies, and taxed with ſuch evident partiality and tenderneſs in proportion to the reſt, that the Talooks generally ſwarm with inhabitants whilſt other parts are deſerted; and in addition to the natural deſire of changing from a worſe to the better ſituation, inticements are frequently employed by the Talookdars to augment the concourſe to their lands. They have alſo, at favourable ſeaſons, when the Government was buſied in other affairs, or weakened by faction, made conſiderable encroachments, and moſt probably poſſeſs extenſive tracts beyond the original grants. Now it ought to be remembered that the welfare and good of the whole was never intended to be ſacrificed to the enriching of a few, perhaps worthleſs, individuals; who can ſhow no pretence to theſe peculiar advantages but a proſtitution of their integrity to their avarice. Your aim muſt, therefore, be to remove all diſtinctions, to bring every man upon a footing with his neighbour, to lighten the burthen on the whole by making it equal and impartial, and to enforce the ſurrender of lands unlawfully poſſeſſed.

Jagheers are always, as Talooks are ſometimes, rewards to particular perſons; but differ from them in being gifts of the crown, confirmed only by the Nizam. The grants are either hereditary or expirable with life; the ſame accounts are to be taken of them

Defective tides in the Jagheerdars, and a tranſgreſſion of the order for appearing and regiſtering their Sunnuds, are to be attended with the ſame conſequences.

As to charitable or religious donations, the lands ſo ſequeſtered are to be eſtimated with regard to their extent, productions, and value; if the amount appears to exceed the endowment of the inſtitution, the overplus ſhould be brought to credit; if the inſtitutions are decayed or perverted, they ſhould be entirely aboliſhed, and the revenues reaſſumed by Government.

The Caſs lands, which are ſuperintended by Government for want of farmers, are ſpecified in the accounts of the Sudder Cutcherry. As it imports us to know whether accidental cauſes, or the malverſations of the managers of ſuch lands, have been the primary cauſe of their decay, you will make a full and circumſtantial report thereof. And as it may be apprehended, that, even ſince their falling under the hands of Government, the time and attention of the public officers have been employed rather in gleaning the ſmall remains of ſubſiſtance from them, than in nouriſhing and recovering them from diſtreſs, their conduct ſhould be examined. The trueſt teſt of it will be your aſcertaining the produce of the lands under the laſt farmer before they became Caſs, and what has been received from them ſince; which will point out the improvement or decreaſe by their ſuperintendence. And if it ſhould be found, that the lands have been falling inſtead of riſing in value, there can be no doubt of the unfitneſs of ſuch men, nor any hopes of ſeeing the Caſs lands peopled, cultivated, and proſpering under their hands. After a due conſideration of their preſent ſtate, public notice ſhould be given that we are ready to receive offers for farming them at a term of two, three, four, or five years, at an annual increaſing rent; at the end of which period they are to pay the ſame as other lands, and to be ſubjected to all orders which may be occaſionally iſſued by Government for the regulation of the revenues, and country in general.

The Comar lands, having no native tenants, are cultivated by contract. The cuſtom and terms of contract are various in various diſtricts, but, in general, there is one ſettled rule. An advance in money is made by the Zemindar to the cultivator, by the help of which he tills and improves the land. When the crops are cut and gathered in, they are generally divided between the cultivator and the Zemindar; from one third to one half to the cultivator, and the remainder to the Zemindar; when the former accounts with the latter for the amount of the advances, which are often taxed by the Zemindar with an heavy intereſt, or fraudulently exceeded by an arbitrary valuation, far below the market price of the goods or products of the lands, in which he is paid. Your object is to inform yourſelf what the cultivator really receives for his labour, and in what he is injured; and ſecondly, what the Zemindar embezzles and ſecretes from Government by an undervaluation of the productions of the ſoil which he thus receives, ſinking the amount of the returns; and by other means, which ſerve to deceive us, and obſtruct the progreſs of cultivation in theſe lands. In all which, I apprehend, you will find no difficulty if you only

aſcertain the amount and market price of theſe products, and compare them with what the Zemindar brings publicly to the credit of Government; and comparing the accounts of the Zemindar with thoſe of the cultivator, it will expoſe the total of his undue acquiſitions, enable you to penetrate through the arts of concealment, and give you a thread by which to unravel the whole gradation of colluſive fraud in this particular. As the unequal diffuſion of inhabitants has been the cauſe of this ſcarcity of cultivation in different parts, every expedient ſhould be uſed to encourage people to ſettle on the Comar and waſte lands, that they may be converted into Ryotty. The great towns, whoſe populouſneſs only ſerves to propagate poverty and idleneſs, might undoubtedly afford numbers of uſeful hands, who in their preſent ſituations are either a burthen or a peſt to the community. Theſe ſhould be ſought out, and taught to apply to culture, ſetting ſuch proſpects and expectations in their view, as will engage their conſent. The Talooks and Jagheers will likewiſe be found to contain many idle, and theſe unſerviceable, hands; who may, in like manner, be induced to tranſplant themſelves to theſe lands, and become farmers.

Laſtly, I ſhall ſpeak of the Ryotty lands. The quantity in meaſurement as well as revenue, will appear from the ſeveral Pottahs granted, after the inquiry before recommended; and the amount product in kind you will acquire by aſcertaining what is really produced on ſome portions of land of each different ſoil, which you may ſelect for this purpoſe, and ſo draw a general medium of the product of the whole Ryotty.

This you may farther check by a compariſon of the amount total with that of the Comar, which being received in kind by the cultivator and landlord, the aggregate may be more truly and readily known. In the ſame manner, the produce of Jagheer lands, Talookdarries, and lands for religious purpoſes, may be alſo obtained.

You will doubtleſs readily meet with an account of waſte or uncultivated lands, as they ſtand recorded in the Cutcheries; but here you will probably find a large field of colluſion; for whatever lands have been once wrote from the revenue under this head, though poſſibly deſerted but for a ſhort time, little has ſeldom been brought on again to the public credit. This will appear by your taking accounts of the waſte lands, as they ſtand recorded at diffreent periods of time, and from them noting their gradual increaſe or decreaſe. Nothing can aſcertain the preſent ſtate of thoſe lands ſo well as a local inveſtigation. You will probably find them to be a fund to the Zemindar, or Collector, for their creatures or dependents, who enjoy many flouriſhing and fertile tracts thus denominated; all which ſhould be immediately reſumed.

Having thus clearly diſtinguiſhed the amount meaſurement of the ſeveral lands, and their products of kinds, as alſo the land revenue; the ceſſes, or arbitrary taxes, muſt engage your attention. On theſe ſubjects I have already ſpoken in part, and ſhall now conſider what is yet to be done by you.

The truth cannot be doubted, that the poor and industrious tenant is taxed by his Zemindar, or Collector, for every extravagance that avarice, ambition, pride, vanity, or intemperance may lead him into, over and above what is generally deemed the eſtabliſhed rent of his lands. If he is to be married, a child born, honours conferred, luxury indulged, and Nuzzer-ânnas, or fines, exacted, even for his own miſconduct, all muſt be paid by the Ryot. And, what heightens the diſtreſsful ſcene, the more opulent, who can better obtain redreſs for impoſition, eſcape; while the weaker are obliged to ſubmit.

To obtain an account of theſe ceſſes, or impoſts, there cannot be a more certain method, than what I have before recommended, of getting from the Ryot himſelf a ſtatement of what he actually pays over and above his eſtabliſhed rents, and from this you are to draw a medium amount of the ceſſes levied upon the whole. This ſhould be ſet againſt the amount of the eſtabliſhed rents of lands ſo ceſſed. You are then to obtain the amount revenue of all Jaghcers, Talooks, charitable and religious donations; and inform yourſelf whether they bear any part, and what proportion, of this burthen; in order that a comparative view may be drawn of the partiality of theſe ceſſes, and what proportion they bear to the lands and revenues of the whole province.

The number, diſtribution, and pay of Darogahs, Cutwalls, and Pykes are next. Their maintenance ariſes from lands ſet apart for their uſe, but they are known frequently to exact articles of proviſion and other things from the Ryots, and poſſeſs too great a latitude over the property and perſons of the poor.

You muſt call upon the Zemindar for a liſt of theſe Pykes and their ſtations, and inquire how far they anſwer the purpoſes of their inſtitution, or have been multiplied without cauſe. You ſhould endeavour to point out another and better method of providing for and reſtricting them in their duty; an eſtabliſhed allowance, or ſomething which may be determinate, and not tend to the exerciſe of any power beyond that of their duty, would be moſt ſuitable; and, on this plan, I recommend it to you to reform them.

A liſt of all Gauts and public markets is alſo to be procured from the Zemindar, together with a liſt of the eſtabliſhed duties ordered to be collected at each. This being obtained, you are to inquire how far the Darogahs and Cutwalls have been guilty of levying undue and illegal duties on the trader or inhabitants. A minute inquiry into their conduct, and accounts on the ſpot, is neceſſary to effect this. Perſons ſhould be applied to, who can produce the exact amount of goods they have themſelves paſſed at the Gaut or market, and the duties they have paid, as a check to the accounts given in by the Darogahs and others. At the markets and Gauts ſituated on the borders of the province, ſhould be kept an accurate account of all exports and imports, ſpecifying the amount, ſortment, and quality of each article, with the duties upon each; that the pro-

portion which the exports bear to the imports may be eſtimated, and a juſt opinion formed what aſſiſtance the province may need from, and in what degree it can contribute to, the ſupply of its neighbours, and the purpoſes of commerce.

Having, by theſe means, obtained an account of all public and private collections and impoſitions on the Ryot and trader, you will have a ſet of materials in your hands from which you may venture to form a real Huſtabood; to contain the quantity, productions, and rent of all cultivated lands under Government; and likewiſe the quantity, productions, and value of all Jagheers, Talooks, charitable and religious donations; which you will draw up according to the form accompanying, and tranſmit to me, with ſuch annexed remarks, obſervations, and propoſals of your own, as you may judge important and conducive to the improvement of the lands, the content of the Ryot, the extenſion and relief of trade, the increaſe and encouragement of any uſeful manufacture or production of the ſoil, and to the general benefit and happineſs of the province in every conſideration and point of view.

One thing more remains for me to add, which is, that, at the expiration of every year, the accounts of the province are to be cloſed, and that a ſeparate and early ſtate of balances be made up, noting the cauſes of their being incurred, and tranſmit the ſame to Moorſhedabad; and you are not to ſuffer the accounts of one year in any point to interfere or be blended with thoſe of another.

The Regulation of Commerce.

I ſhall now deliver my opinion on the means of perfecting ſuch of thoſe points under this head, as are likely to give you moſt trouble. The inquiry, which I have recommended to be ſet on foot into the amount of the manufactures, and the number of manufacturers employed in each branch, ſhould be opened by requiring from the Collector, or head man of each diſtrict, a liſt of thoſe who reſide therein, with their reſpective employments. That the eſtimate of the ſtock of labour may be as clear and perfect as poſſible, you may employ the following checks and collateral arguments: it is only the finer ſort of cloth, uſed in the general run of commerce, that coſts twelve days in the loom; the aſſortments, which come to about five Rupees per piece, require only eight days; yet as I allow an extra time for the manufacturer to go to market and purchaſe new thread and implements, before he can renew his work, I therefore, for the greater preciſion, ſet down the whole expence of time at twelve days.

Suppoſing, then, a manufacturer can furniſh one piece of cloth, of the ſize of twenty-four cubits by two, and of the value of five Rupees, in the ſpace of twelve days; you may proceed to calculate what any number of hands, in any given ſpace of time, ought to perform by the ſame rule.

A ſecond check on this eſtimate will be the account of exports, after making a reaſonable allowance for home conſumption; and as to the Collector or Zemindar's report of

the number and employments of the manufacturers in his diſtrict, it will be ſufficient to apply to the Dallols, Pycars, or brokers, without whom ſcarce any manufacturers deal, for their number, which will ſerve as a farther and collateral check to the former. In your progreſs towards an abolition of ſecret emoluments and abuſes in trade, you are to conſider that an open and public inquiry would in many caſes, as in the revenues, multiply difficulties, if not totally defeat the end of your labours. To proceed with any hopes of arriving at the truth, you muſt employ a perſon who may be quite a ſtranger to the agents and their trade, to engage a ſecond, and he a third, to purchaſe at the eſtabliſhed markets, as for his own uſe, ſamples of different articles of trade.

Others ſhould be employed in the ſame manner, and with the ſame caution, to obtain a ſight or copies of ſuch adjuſtments of accounts as have paſſed between the firſt manufacturer and the purchaſer, whether Pycar, Dallol, or merchant. Theſe accounts, if authentic, will diſcloſe the firſt coſt; and the private purchaſes above recommended will ſhow the market price; which, ſet againſt the Agent's accounts, will clearly demonſtrate whether the fair and juſt value has been paid for the goods, and what are the expreſs advantages accruing to the agent and his accomplices. Nuzzer-annas, brokerages, diſcount on Rupees, intereſt on advances, fines for non-compliance with terms of contract, are the chief; and all are deducted after an apparent and nominal rate of market price has been previouſly fixed to the goods. When theſe gains, acquired by the Pycars, Dallols, and agents, from the multiplicity of taxes on the manufacturer, which have been laid on by colluſion, and removed from our eyes by diſtance and eſtrangement, induſtriouſly brought about between us and him, are, in the above manner, ſeverally detected and aboliſhed; you are to adopt theſe meaſures for the introduction of fair dealing, and the diſſolution of clandeſtine compacts of particular ſets of men, formed to rob the manufacturer of his due, and to accumulate to themſelves and their dependents, what ought to be free and beneficial to all. Uſe every means, and hold up every inducement to the manufacturer, to bring his goods to public market, and to make his bargain openly and directly himſelf. Order daily regiſters of the amount, quality, and price of goods ſold, and of the prices of goods for which advances have been made; and allow no goods to be taken away from the market until they have been regiſtered, under a penalty of a double duty, or ſomething of that kind. Let it be your conſtant employment to make theſe principles and maxims univerſally underſtood and adopted by all Collectors, Zemindars, and every public agent; that commerce and agriculture mutually aſſiſt each other, and thrive from the ſame cauſes; that, as the freedom of the one becomes better eſtabliſhed and the diffuſions more general, the advantages of the other will be proportionable.

The Ryot will, conſequently, find the demand for his labour more extenſive, and his ſituation made eaſier and happier by the additional flow of money into the province.

The inſtances where venal, ignorant, and rapacious judges avail themſelves of a crude and mercenary ſyſtem of laws, of the prevalence of licentiouſneſs, and the force of reigning habits and cuſtoms, have been already mentioned. I can only repeat, that it is your part to endeavour to reform all theſe corruptions which have encroached on the primitive rights of both the Muhamedans and Hindoos; particularly by aboliſhing the arbitrary impoſition of fines, and recommending, all in your power, the more equitable method of arbitration.

The officers of juſtice, and Cazees, who are eſtabliſhed by the Muhamedan law, as alſo the Brahmens, who adminiſter juſtice among the Hindoos, in every village, town, and quarter, ſhould all be ſummoned to appear, produce their Sunnuds, or authority for acting, and regiſter them. Records of whatever cauſes are heard and determined, are to be ſent to, and depoſited in, the Sudder Cutcherry of the province, and a monthly return thereof forwarded to Moorſhedabad.

The regiſter of Sunnuds is intended to deter any from exerciſing a judicial, becauſe lucrative function, who may not be legally appointed by Government, if a Muhamedan, or fairly elected by his caſt, if a Hindoo. And the depoſiting of all cauſes and determinations, added to the other Regulation, will figure to the ſeveral officers a vigorous and obſervant power, watching all their actions, and, in caſe of abuſes, direct you at once to the culpable.

The peculiar puniſhment of forfeiting caſts, to which the Hindoos are liable, is often inflicted from private pique and perſonal reſentment amongſt themſelves, and requires to be reſtrained to thoſe occaſions only where there may be a regular proceſs, and clear proofs of the offence before the Brahmens, who are their natural judges. But when any man has naturally forfeited his caſt, you are to obſerve that he cannot be reſtored to it, without the ſanction of Government, which was a political ſupremacy reſerved to themſelves by the Muhamedans, and which, as it publicly aſſerts the ſubordination of Hindoos, who are ſo conſiderable a majority of ſubjects, ought not to be laid down, though every indulgence and privilege of caſt ſhould be otherwiſe allowed them.

Having now ſpoken to all points which at preſent occur, and are looked for from your appointment, I ſhall here ſubjoin ſome remarks on the importance of the object, and your own conduct in the purſuit of it.

Your commiſſion entruſts you with the ſuperintendence and charge of a province, whoſe riſe and fall muſt conſiderably affect the public welfare of the whole. The exploring and eradicating numberleſs oppreſſions, which are as grievous to the poor, as they are injurious to the Government; the diſplaying of thoſe national principles of honour, faith, rectitude, and humanity, which ſhould ever characteriſe the name of an Engliſhman; and impreſſing the loweſt individual with theſe ideas, and raiſing the heart of the Ryot

from oppreſſion and deſpondancy to ſecurity and joy, are the valuable benefits which muſt reſult to our nation from a prudent and wiſe behaviour on your part. Verſed as you are in the language, dependants; where you yourſelf can poſſibly hear and determine. Let acceſs to you be eaſy, and be careful of the conduct of your dependents. Aim at no undue influence yourſelf, and check it in all others. Great ſhare of integrity, diſintereſtedneſs, aſſiduity, and watchfulneſs is neceſſary, not only for your own guidance, but as an example to all others; for your activity and advice will be in vain, unleſs confirmed by example. Carefully avoid all intereſted views by commerce, or otherwiſe, in the province, whilſt on this ſervice; for, though ever ſo fair and honeſt, it will awaken the attention of the deſigning, double the labour of developing ſtratagems, and of removing burthens and diſcouragements with which the commerce of the country in general has been loaded. You have before you a large field to eſtabliſh both a national and private character; loſe not the opportunity, which is to be temporary only, for your whole proceedings will be quickly reviſed: a teſt which the Board conſider due to themſelves, as a confirmation of the propriety of their choice; to you, as an act of juſtice to your conduct; and to the public, for the ſecurity of its intereſts. As the extent and importance of your truſt are great, ſo in proportion will be the approbation or cenſure, ariſing from your good or ill conduct in it, be attended with unuſual diſtinction or particular ſeverity. Sentiments which I convey to you, to ſhow the degree of confidence the Board repoſe in your integrity and abilities; but by which I mean not the remoteſt ſuſpicion, either in them or myſelf, of your diſappointing their expectations.

You are to be careful to acquaint me, or the Reſident at the Durbar for the time being, with every material circumſtance worthy of remark; your correſpondence muſt, conſequently, be regularly and cloſely kept up; and you are to follow all ſuch further orders, as I may judge neceſſary to ſend you.

Reſolution of the Select Committee on 16th Auguſt 1769.

It is unanimouſly agreed to lay the foregoing obſervations, and ſentiments of the Committee, before the Preſident and Council, in order for their being carried into execution with all convenient expedition.

PROCLAMATION PUBLISHED ON 11TH MAY 1772.

Notice is hereby given, that the Honorable the Court of Directors have been pleaſed to diveſt the Nabob Mahommed Reza Cawn of his ſtation of Naib Dewan, and have determined to ſtand forth publickly themſelves in the character of Dewan. The Honorable the Preſident and Council have in conſequence directed, that the charge of the office of Dewan ſhall for the preſent be aſſumed, and the duties of it performed, by the Chief and Council of Revenue at Moorſhedabad. All Zemindars, Fonjedars, Aumils, Naibs, Tehſildars, Officers of public Cucherries, Chokeydars, Munduls,

Ryots, and inhabitants of the country in general, are in conſequence now informed, that the Chief and Council have this day entered on charge their office; and ſtrict injunction is hereby conveyed, that application is to be made to them in all matters which in any reſpect relate to the Dewannee, as ample authority in that department is for the time being veſted in them. To obviate the plea of ignorance, on the part of individuals, with reſpect to ſuch branches of buſineſs as appertain to the office of Dewan, the Chief and Council have been pleaſed hereunto to annex a particular liſt thereof, and they now ſignify, that they expect the ſtricteſt attention and moſt implicit obedience be paid to this their publication and order, and that any deviation from the Regulation here laid down will incur the ſevereſt reſentment of Government.

Liſt of the ſeveral branches of buſineſs appertaining to the Dewannee.

The appointment of Aumils into the Moſuſſil.

The Collections of Diſtricts, and whatever belongs thereunto.

Bundobuſt of the Pergunnas.

The examination of Dewannee Sunnuds, under the ſignature of the Nazim, for Talooks, charity lands, and religious endowments of Bermoter, Dewoter, &c.

The inveſtigation and forming a Huſtabood of the diſtricts.

The incorporating or ſeparating one diſtrict from another.

The conſtituting and diſmiſſing of Zemindars, with the concurrence of the Nazim.

The cultivation of the country, and whatever tends to increaſe its revenue.

Taking cognizance of complaints againſt the unjuſt demands of Aumils and Zemindars, which occaſion the deſertion of the Ryots.

The aſcertaining the boundaries of each Zemindarry, and adjuſting the complaints of diſputants not deſerving of capital puniſhment.

The inveſtigation of Talooks, and adjuſting the rights of Talookdars.

The iſſuing of Perwannas to enforce payment of the revenue; and the calling out of the Moſuſſil, on the complaints of the oppreſſed.

Publick Regulations for the Settlement and Collection of the Revenue—Paſſed on 14th May 1772.

1ſt. That the farms ſhall be let for the fixed term of five years, to commence from the 1ſt of this inſtant, Byſaac 1179, or the 10th April 1772.

2d. That the farms ſhall conſiſt of entire Pergunnas, provided they do not exceed the annual amount of one Lack of Rupees; in which caſe, they ſhall be divided into ſuch equal proportions, as ſhall reduce the amount of each conſiderably below that ſum, unleſs the acknowledged reſponſibility and good character of the farmer ſhall ſupport his pretenſions to rent the whole Pergunna; and that all villages or portions of lands, which have been hitherto let in ſeparate farms, ſhall be re-annexed to the Pergunnas to which they originally belong.

3*d*. That a Committee of the Board shall be appointed to go a circuit through the province, and to form the Bundobust or settlement at the Sudder Cutcherry of each district.

4*th*. That the said Committee shall consist of the President and four Members from the Board.

5*th*. That the settlement of the districts of Hugly, Hidgelee, Calcutta Pergunnas, Burdwan, Midnapoor, Beerbhoom, Bissenpoor, and Pacheat, shall be determined by the remaining Members of the Board.

6*th*. That as the Company have determined to stand forth as Dewan, the servants employed in the management of the collections shall be henceforward stiled "Collectors," instead of the present appellation of "Supervisors."

7*th*. That a fixed Dewan shall be chosen and nominated by the Board, who shall be joined with the Collector in the superintendency of the revenues—That he shall keep separate accounts of the collections, according to the established forms of the country, countersign all orders circulated in the Mofussil, all receipts granted to the farmers, and all invoices and accounts transmitted to the Sudder.

8*th*. That the Collector shall not use his own private seal in the execution of the business; but that a general seal be struck, with a proper inscription, in the name of the Company, as Dewan of the provinces; and that one be lodged with each Collector, to be by him affixed to all public deeds and orders, where the custom of the country and rules of the service render it necessary. And wherever this seal is affixed, the Collector shall attest it with his name.

9*th*. That neither the Collector nor Dewan shall send Sepoys, Peons, or any other persons with authority, into the lands belonging to the farmers, excepting only on such occasions as shall indispensably require it for the maintenance of the peace or the immediate execution of justice, in which the authority of the farmers shall be insufficient; that on such occasions a warrant under the public seal, and signed by the Collector, shall be given in writing to the officer employed, and be recorded in the judicial proceedings, with the reasons for issuing it; but that no person be summoned on ordinary occasions, except by a Tullub Chitty to the farmer, or order requiring him to produce the person summoned in a certain space of time.

10*th*. That the farmer shall not receive larger rents from the Ryots than the stipulated amount of the Pottahs on any pretence whatsoever; and that for every instance of such extortion, the farmer, on conviction, shall be compelled to pay back the sum which he shall have so taken from the Ryot, besides a penalty equal to the same amount to the Sircar: and for a repetition, or a notorious instance of this oppression on his Ryots, the farmer's lease shall be annulled.

11*th*. That the farmer's payments to Government ſhall in like manner be aſcertained and eſtabliſhed, and no demand be made upon them above what ſhall be expreſſed in the Doul or rent-roll delivered them with their leaſe.

12*th*. That no Mhatoots or aſſeſſments, under the name of Mangun, Baurie Gundee, Sood, or any other Aboab or tax, ſhall be impoſed upon the Ryots; and that thoſe articles of Aboab which are of late eſtabliſhment, ſhall be carefully ſcrutinized, and at the diſcretion of the Committee aboliſhed, if they are found in their nature to be oppreſſive and pernicious.

13*th*. That all Nuzzurs and Salamies, which are uſually preſented at the firſt interview as marks of ſubjection and reſpect, be totally diſcontinued, as well to the ſuperior ſervants of the Company and the Collectors, as to the Zemindars, farmers and other officers.

4*th*. That the old farmer ſhall ſettle his accounts with ſuch of the Ryots as are forthcoming, in the preſence of the new farmer or his agents; and the balances, which ſhall be proved, ſhall be on account of the new farmer.

15*th*. That a Mohrir, or writer of accounts, ſhall be appointed on the part of the Government to every farm, who ſhall take an account of all the receipts of the rents with the farmer, and tranſmit the ſame monthly to the Collector at the Sudder Cutcherry of the province, but without any authority to interfere in the collections.

16*th*. That the Collector be forbid, on pain of diſmiſſion from his office, to be concerned directly or indirectly, in the purchaſe or ſale of grain.

17*th*. That no Peſhcar, Banyan, or other ſervant, of whatever denomination, of the Collector, or relation or dependant of any ſuch ſervant, be allowed to farm lands, nor directly or indirectly to hold a concern in any farm, nor to be ſecurity for any farmer; that the Collector be ſtrictly enjoined to prevent ſuch practices; and that, if it ſhall be diſcovered that any one, under a falſe name, or any kind of colluſion, hath found means to evade this order, he ſhall be ſubject to a heavy fine, proportionate to the amount of the farm, and the farm ſhall be re-let or made Khaſs; and if it ſhall appear, that the Collector ſhall have countenanced, approved, or connived at a breach of this Regulation, he ſhall ſtand, ipſo facto, diſmiſſed from his Collectorſhip; neither ſhall any European, directly, or indirectly, be permitted to rent lands in any part of the country.

18*th*. That it be given in eſpecial charge to the Committee to find out ſome means of preventing the practice of lending money on exorbitant uſury, by which the Ryots are often involved in heavy debts, without the hope, or ſcarce the poſſibility of relief; and not only the fruits of their induſtry, but often the farmer's dues (which, in effect, are thoſe of the ſtate) become the property of the money-lenders. That, in the mean time, the Collector be forbid, on pain of removal from his office, either to lend money himſelf,

or to ſuffer his Banyan, or any other of his ſervants or dependants, to lend money to the Zemindars, Talucdars, farmers, Ryots, or any other perſon whatever, within the diſtrict of which he ſhall have charge. That in like manner the Zemindars, Talucdars, Sotedars, and other officers of the Government, be forbid to lend money to the Ryots; and that all debts contracted contrary to the tenor of this order, after the publication of it, ſhall be void: that this reſtriction is not to prevent the farmer from affording the uſual and neceſſary aids of Tuccabee to the Ryots, but that the premium of ſuch advances be fixed at two per cent per menſem, and payment received, not in kind, but in money.

19*th*. And to relieve the farmer from the neceſſity of borrowing money for the payment of his Kiſts or inſtalments, that the Kiſtbundee for the enſuing leaſes be ſo regulated, as the Kiſts may be made payable at the uſual periods of the harveſt, proportioned to the eſtimated quantity and value of the crops, and as local circumſtances ſhall direct.

20*th*. That to enable the Committee to fix the neceſſary eſtabliſhments in each diſtrict for its ſafeguard and protection, and preſerving peace and tranquillity, the Collector be inſtructed to prepare and have in readineſs accurate accounts of the Chakeran lands, together with a detail of the purpoſes for which they have been allotted, and their opinion of the number of land-ſervants it will be neceſſary to retain for the ſervice above expreſſed.

21*ſt*. That all Zemindaree Chowkies ſhall be aboliſhed, and none kept but ſuch as immediately depend on the Government under the Puchuttera, Bukſhbunder and Shahbunder, ſubject to ſuch Regulations as ſhall be hereafter eſtabliſhed.

22*d*. That orders be ſent through the channel of the Board of Revenue to the Collectors, to publiſh the ſubſtance of the above reſolutions, with liſts of the Pergunnas reſpectively under their charge, or other diviſions propoſed for farm by the ſecond reſolution: and to advertiſe for ſealed propoſals, from ſuch as are willing to take farms, to be delivered in at the Sudder Cutcherry of each diſtrict, by the 1ſt of Sawan, or 10th of July, excepting the provinces of Nuddea and Jeſſore; the propoſals for the former of which to be delivered in at Kiſhnagur the 1ſt of Aſſar, or 10th of June; and for the latter the 5th of Aſſar or 15th of June.

23*d*. That orders be alſo ſent to the Collectors to prepare an exact and explicit rent-roll of each farm, arranged in Pergunnas, together with full accounts of all charges, Sudder and Moſuſſil, accompanied with an explanation of their uſe, and reaſons for their being deemed neceſſary. To render the rent-roll more perfect, they are further to prepare a ſeparate account tracing the Jumma of each farm to the higheſt value it has ever ſtood at, and aſſigning the cauſe of its decreaſe to the preſent ſtandard.

24*th*. That as the Superviſorſhip of Dacca, not only from the extent of its limits and the magnitude of its revenue, but alſo from its being entirely compoſed of a multitude of

inconſiderable Zemindarees or Talucs, appears to be a charge of too complicated a nature to be managed by the Chief at Dacca, at the preſent ſeat of its reſidence, with proper care and ſucceſs; and as it appears further, that many of the ſubſidiary diſtricts, annexed to the other Superviſorſhips, are in their ſituation ſo diſtant and ſcattered as to be liable to the ſame inconveniences, the Committee ſhall be authorized ſo to regulate the Dacca province, and thoſe ſubſidiary diſtricts, as to bring them into a proper compaſs for the management of a Collector, and within the ſcope and efficacy of theſe Regulations.

ADDITIONAL REGULATIONS *regarding the* SETTLEMENT—*paſſed on 28th May* 1772.

That ſuch farmers as deſire it, ſhall be permitted to pay their Kiſts immediately into the Treaſury of Calcutta, inſtead of the Sudder Cutcherry of the diſtrict; but in ſuch caſe the payments ſhall be made in ready money, not in bills; nor ſhall a longer delay be allowed in the payment, after the expiration of the ſtipulated term of the Kiſt, than twenty days for the moſt diſtant parts of the province, and a proportionate time for the reſt.

That the offices and forms which are now eſtabliſhed, for the adminiſtration of juſtice in the diſtricts of the province, ſhall be examined and new regulated, upon ſuch a footing as ſhall be moſt conducive to the ſecurity of property, and the general eaſe of the people, by facilitating the acceſs to juſtice, by expediting its decrees, and rendering equal right to all men. If the party in any cauſe ſhall not be ſatisfied with the decree of the Court of the diſtrict, he ſhall be allowed an immediate appeal to the Governor in Calcutta, where the cauſe ſhall be re-heard, and finally decided, by Courts duly conſtituted for the purpoſe.

That all perſons ſhall have acceſs to the papers of the Jumma-Waſſil-Baukee, at the Sudder Cutcherry of each diſtrict, and at the Collector's office in Calcutta.

Reſolved, theſe be alſo tranſlated into the Bengal and Perſian languages, and ſent to Moorſhedabad, with directions to add to the advertiſement, that all perſons ſhall have acceſs, at the Sudder Cutcherry of each diſtrict, to the rent-roll, and Jumma-Waſſil-Baukee accounts.

REGULATIONS *proposed by the* COMMITTEE OF CIRCUIT *on 20th August* 1772 *and paſſed by the* GOVERNOR AND COUNCIL *on 29th August* 1772.

That the whole Council ſhall compoſe a Board of Revenue, who ſhall aſſemble two fixed days in each week, or oftener if occaſion requires, for tranſacting the buſineſs of this department.

That the whole Council ſhall alſo be ſtyled auditors of the Dewannee; and that it ſhall be the duty of one of the members, in weekly rotation, to report upon all accounts received from the Collectors, in which he ſhall check all unauthoriſed charges, and remark upon all exceſſes of the annual eſtimates in thoſe charges which are authoriſed.

That the Auditor of the week ſhall complete the report upon all accounts received within his week, and that on the laſt Thurſday of every month there ſhall be a meeting of the Board, for the ſole purpoſe of paſſing all the accounts of the month preceding.

That as the Preſident and Council have thought proper to eſtabliſh provincial Dewans, to act jointly with the Collector, in all the diſtricts, there ſhall be a principal Muttefedee appointed to ſuperintend the conduct of thoſe Dewans, to receive from them the accounts in the Bengal language, and to iſſue to them a counterpart of the orders, which the Board of Revenue ſhall from time to time expedite to the Collectors.

That this officer ſhall be ſtyled the Roy Royan, and that he ſhall attend at the meetings of the Board of Revenue, to make reports, to anſwer to all inquiries, and to receive occaſional inſtructions.

That it be recommended to the Board to confirm Rajah Rajebullub, the ſon of the late Rajah Dooloobram, in the office, and to grant him the title of Roy Royan: he is a young man of very promiſing abilities, and we think will do credit to the appointment.

That the buſineſs ſhall conſiſt in receiving and examining all the accounts tranſmitted in the Bengal language, in comparing the remittances of the revenue with the Chelans or invoices, in directing the payments to be made into the grand treaſury, in realizing the collections of the farmers who may avail themſelves of the privilege of paying their rents at Calcutta, in preparing all grants and Sunnuds, and in expediting all Perwannas to the provincial Dewans; and ſhall be conducted by a member of the Council in monthly rotation, and the Roy Royan.

That on all theſe points, and ſuch others as may occur in the detail of the buſineſs, the Roy Royan ſhall report daily to the Honorable the Preſident and receive his inſtructions.

That he ſhall next wait upon the Superintending member of the Khalſa, and report to him, intimating, at the ſame time, ſuch inſtructions as he may have received from the Preſident, that he may jointly attend to their being carried into execution, as well as ſuch other buſineſs as the Superintending member ſhall think proper to direct; and that the Superintending member and the Roy Royan ſhall make their joint report of every thing that ſhall be tranſacted in this detail, at each meeting of the Board of Revenue.

That to enable the Roy Royan to diſcharge that part of his duty which impowers him to tranſmit a counterpart of the Board's orders to the Dewans, a Company's covenanted ſervant, with one or more aſſiſtants, ſhall be appointed Tranſlator to the Khalſa, whoſe duty it ſhall be to attend every day, on the breaking up of the Board of Revenue, and tranſlate into the Perſian language the ſubſtance of the orders iſſued to the Collectors; with ſuch Tranſlations the Tranſlator ſhall wait upon the Superintending member of the

Khalſa, who will take care that the Roy Royan expedite his orders to the Dewans, conformably thereto, under the public ſeal of the Dewannee, reſerving regular copies.

That it ſhall further be the duty of the Tranſlator of the Khalſa to tranſlate, and enter in a book, all the letters received by the Roy Royan; which book ſhall be laid before the Board every day of their meeting.

That a Company's covenanted ſervant (with a competent number of aſſiſtants) be appointed to the office of Accountant General of the Dewannee, the detail of whoſe duty ſhall be as follows:

1ſt. To keep the general books of the Revenue according to the form at preſent eſtabliſhed, or ſuch other as may hereafter be preſcribed.

2dly. To keep beſides the following ſubſidiary books, to be laid before the Board at every meeting of the Council of the Revenue Department.

One book containing the ſettlement of each province, with an abſtract account of the whole.

One book containing the Kiſtbundee of each diſtrict, with one general abſtract of the whole.

One book containing the eſtimate of charges on each diſtrict, with an abſtract of the whole.

One book containing the account current Kiſtbundee (or the current demands, receipts, and balances) of each diſtrict, with the general one for the Sudder, compiled from thoſe of the diſtricts.

One book containing the daily receipts, iſſues, and balance of the treaſury.

One book containing the regiſter of Pauts, and bills of exchange, according to the form it is now kept in at Moorſhedabad.

3dly. To prepare monthly in Engliſh, by means of one of his aſſiſtants, an account current Kiſtbundee of the Huzzoor Taſ-hil, and alſo the caſh and other monthly accounts, ſo that the tranſactions of that collection may fall under the Board's inſpection in the ſame manner as thoſe of the diſtricts under the Collectors.

4thly. To report the balance of treaſury every day to the Honourable the Preſident and the Superintending member of the Khalſa, to prepare all orders for making payments into the grand treaſury to be ſigned by the Board, and to receive and depoſit receipts for the ſame from the Sub-treaſurer of the Preſidency.

5thly. To report from time to time to the Superintending Member of the Khalſa, the bills and Pauts as they become due, and obey ſuch orders as he may in conſequence receive for realizing their amount.

6thly. To attend the weekly Auditor with ſuch accounts as are received from the Collectors, and aſſiſt him in auditing the ſame as above ſpecified; and, further attend the monthly meeting of the Board of Revenue for paſſing accounts.

7thly. To correſpond with the Collectors for rectifying errors in the accounts, under the orders of the Auditor of the week.

That the following officers ſhall be eſtabliſhed for conducting the buſineſs of the Khalſa, according to theſe Regulations.

1ſt. Roy Royan's Office.

To this office, all accounts, ſtatements, and papers whatever, are to be firſt tranſmitted, and from thence diſtributed to the proper offices, after having been received by the Superintending member of the Khalſa, and the Roy Royan. All other offices are to furniſh whatever papers are required by this, and to be conſidered as ſubordinate to it. In it the Superintending member of the Khalſa and the Roy Royan will preſide, and its further eſtabliſhment will be as follows:

One deputy to the Roy Royan.
Two Mohrirs or writers.

2nd. Moonſhees' Office.

In this office will be kept copies of all the letters received and ſent by the Roy Royan, and there will be required for the ſervice of it four perſons:

Two to attend the Roy Royan.
Two to attend the Tranſlator of the Khalſa.

3d. Karkoon's or Accountant's Office.

In this office will be kept all accounts of ſettlements, Kiſtbundees, the ſeveral monthly accounts of the diſtricts, the general accounts of the year, and other neceſſary papers. The ſervants employed in this office are to be under the orders of the Accountant General, to aſſiſt him in comparing and examining the Bengal accounts with thoſe of the Engliſh, in keeping the treaſury account, and in ſtriking the daily balance of it, and of the current receipts of the general account current Kiſtbundee. Copies of all Chelans are alſo to be ſent to this office from the treaſury, atteſted by the Khazanchy. The eſtabliſhment required for this office will be as follows:

One Karkoon;
One Naib, } for examining and checking all accounts, and
One head Mohrir, } adjuſting the general accounts of the year:
One Mohrir for keeping the accounts, ſettlements, and the general abſtract of them:

One Mohrir for keeping the monthly accounts, receipts, and diſburſements of the diſtricts, the eſtimates of the annual charges, and an abſtract of them:

One Mohrir for keeping the monthly account-current Kiſtbundee of the diſtricts:

One Mohrir for forming the general account current Kiſtbundee, and ſtriking its daily balance:

One Mohrir for preparing the Sudder treaſury accounts, and ſtriking its daily balance:

One Mohrir for keeping the regiſter of bills and Pauts, and collecting them when due.

4th. Sheriſta Amaunut and Mauzoolee, or Office of Inſpection.

It will be the buſineſs of this office to examine and adjuſt all accounts that may be referred to their inſpection, particularly thoſe of diſmiſſed officers of the revenue and old farmers. It will be eſpecially uſeful in aſſiſting the Court of Appeals in all cauſes which come before them, relative to exactions, extortions, or unjuſt demands in the collection of the revenue. The officers required for it will be

One Sheriſtadar;

Three Mohrirs.

5th. Zemeen Naveſſee, or Regiſter Office.

In this office all grants or Sunneds for Zemindarrees, Talucdarrees, and other public ſervices, are to be prepared, formed, and regiſtered; and the Committee think it would be of much public utility, if all transfers of landed property, mortgages, &c. were in like manner ordered to be regiſtered here, within a limited time from the date of the deed, and deemed invalid without ſuch ratifications, unleſs it ſhall be thought ſtill more adviſeable to eſtabliſh an office for this particular purpoſe, at the Cutcherry of every diſtrict. The officers required for keeping this regiſtry will be,

One Sheriſtadar,

Two Mohrirs.

6th. Huzzoor Taſ-hil Office.

In this office collections will be made of all thoſe diſtricts whoſe farmers avail themſelves of paying their rents at Calcutta; and in it the ſame ſet of monthly accounts will be prepared, as are forwarded from the Collectors of the diſtricts. In this office the Naib of the Roy Royan will preſide, with the following officers under him:

One Karkoon:

Two Mohrirs for keeping the accounts of the ſettlements, and the

account current Kiſtbundee:

Two Mohrirs for keeping the ſeal of receipts, and the monthly accounts.

7th. Khazana, or Treaſury Office.

All remittances of the revenue will firſt be received into this treaſury, for the ſake of examining it with the Chelans, and from hence it will be conveyed into the grand treaſury, as before regulated. The treaſury account is to be formed in this office. All Chelans are to be kept in it, but copies to be delivered, atteſted by the Khazanchy, into the office of the Kurkoon. The eſtabliſhment of the Treaſury will be,

One Darogah, } Sine-cure (if continued) in virtue of their appoint-
One Muſhriff, } ment from Court.

Servants.—One Khazanchy; five Mohrirs; five Podars; one Jemautdar, five Peons.

8th. Canongoe's Office.

The nature and ſervices of this office are fully explained on the proceedings of the Moorſhedabad Council of Revenue, the 2d July 1771; the Committee are of opinion, that their utility is almoſt totally ſuppreſſed, from the change which has taken place in the revenue ſyſtem: out of tenderneſs, however, to the antient form of Government, and deference to the grants which they hold for their office from the Court of Dehly, the Committee think the head Canongoes may be continued, either receiving their preſent Reſooms, or whatever may be conſidered as an adequate penſion; but that all the dues allotted for the ſupport of their officers in the diſtricts may be attached, and thoſe officers inrolled among the monthly ſervants of each Cutcherry. Thus the Government will ſtill reap the benefit of their knowledge and experience in carrying on the buſineſs, whilſt a conſiderable ſaving will be produced from the reſumption of the dues they have hitherto received.

9th. The Nazir's Office.

This office conſiſts of Peons employed in ſummoning the dependents of the Khalſa, in preſſing payments and other like ſervices, and of the other menial ſervants of the different offices, who are under the inſtruction of the Nazir. The neceſſary eſtabliſhment will be,

One Nazir; one Naib; three Mhirdas; twenty-five Peons; ſeven Dufterbunds, or office-keepers; five Feraſhes; two Ghereallies; four Muſſalchees.

Theſe to be paid monthly wages inſtead of fees, which are to be aboliſhed.

That the accounts of all theſe offices, as alſo thoſe of the diſtricts, ſhall be kept in the Bengal language, as being more exempt from errors, omiſſions, and inaccuracies, than the accounts kept in Perſian.

That the Regiſter-office will, however, be an exception from this rule, the papers of which will continue to be kept in both languages.

That there ſhall be three keys of the Dewannee Treaſury, one to be kept by the Honorable the Preſident, one by the Superintending member of the Khalſa, and one by the Roy Royan.

That the Dewannee ſeal ſhall be lodged with the Superintending member of the Khalſa, and to be affixed to the letters and Perwannas expedited by the Roy Royan; and that the Roy Royan ſhall alſo ſign all ſuch letters and Perwannas.

That a proper houſe ſhall be prepared for accommodating all theſe offices, and depoſiting the old records, to be known by the appellation of the Khalſa.

That another houſe, adjacent if poſſible to the Khalſa, ſhall be prepared for the office of the Accountant General of the Dewannee.

That the collections of Burdwan, Midnapoor, Chittagong, and the Calcutta Purgunnahs, ſhall be comprehended in this plan of general ſuperintendence; their remittances ſhall be made to the Dewannee treaſury; and their accounts ſhall be kept by the Accountant General, but in a ſet of ſeparate books.

PLAN *for the* MANAGEMENT *of the* REVENUES *of* BENGAL *and* BEHAR, *recorded in the Proceedings of the* REVENUE DEPARTMENT, *23d November* 1773.

1ſt. That the diſtricts, which form the preſent Collectorſhips, ſhall remain, with ſuch variations as ſhall render them more eaſy of controul, and more ſubſervient to the general ſyſtem.

2d. That each diſtrict be ſuperintended by a Dewan or Aumil, except ſuch as have been let entire to the Zemindars, or their reſponſible farmers, who ſhall in ſuch caſe be inveſted with that authority.

3d. That a Committee of Revenue be formed at the Preſidency, which ſhall conſiſt of two members of the Board, and three ſenior ſervants below Council, for conducting the current buſineſs of the collections, in the manner following:

4th. The Committee ſhall meet daily; they ſhall form reſolutions and orders for the current or ordinary buſineſs of the diſtricts, and prepare, weekly or monthly, a ſeparate

ſtate of each diſtrict, an account of the demands, receipts, and balance of each diſtrict, and a report of ſuch extraordinary occurrences, claims, and propoſals, as may require the orders of the Superior Council; which are to be laid before them in their Revenue Department.

5th. The Dewan ſhall correſpond with the Preſident of the Committee, and the Roy Royan, and ſend their bills, Chelans and accounts, to them: theſe ſhall be regiſtered in the proper offices of the Khalſa, and ſuch tranſlations and abſtracts made of them, as ſhall be neceſſary for the inſpection of the Committee.

6th. All orders to the Dewan ſhall be tranſlated, and written in the name of the Preſident of the Committee and the Roy Royan, to be ſealed with the ſeal of the Khalſa, and ſigned by them.

7th. Occaſional Commiſſioners or Inſpectors ſhall be deputed to viſit ſuch of the diſtricts as may require a local inveſtigation. Theſe ſhall be choſen from the Company's covenanted ſervants, not by ſeniority, but by the free election of the Board; they ſhall be men qualified for this truſt by a knowledge of the Perſian or Hindooſtan language, and by a moderation of temper. An objection made by a ſingle Member of the Board to any perſon propoſed, as wanting of theſe requiſites, ſhall be a ſufficient bar to his appointment, without proofs being required to ſupport it. The Commiſſioners ſhall receive an allowance of 1,500 Rupees per month for their trouble and for their expences during the deputation; they ſhall not be allowed to take with them their private Banians, nor any ſervants or dependants, without expreſs leave, in writing, of the Board; they ſhall be forbid, on pain of ſuſpenſion from the ſervice, to lend or borrow money, to take any concern in farms, Talooks, or ſecurities, or to purchaſe or ſell, or contract to purchaſe or ſell, any article whatever in the diſtrict; nor ſhall they ſuffer any of their ſervants or dependants to do either.

8th. Strict orders ſhall be given, in writing, to every Officer commanding the Sepoy ſtations, forbidding them to detach any Sepoys, either ſingly or in parties, for any purpoſe whatever, beyond their quarters, except when required on military ſervice; to puniſh or confine any perſon not appertaining to his command; to lend or borrow money; to take any concern in farms, Talooks, or ſecurities; to purchaſe or ſell, or contract to purchaſe or ſell, any article whatever, either in the diſtricts in which he reſides, or in any other; or to have any dealing in any kind whatever with any Dewan, Zemindar, farmer, Ryot, or other dependant or officer of the revenue. The ſame orders ſhall be publiſhed, to be obſerved by the other officers, both European and native, of the battalion, and by all the Sepoys and followers of it. It ſhall be declared, that the Commanding Officer ſhall be reſponſible for any public breach of theſe orders by any perſon whatever under his command; and the Governor ſhall have the power of recalling them without aſſigning a reaſon either to them or to the Board.

9th. The officers of the Foujedary Adauluts ſhall be forbid to hold farms or other offices in the Mofuſſil; they ſhall be obliged to reſide, on pain of forfeiting their em-

ployments; and it ſhall be declared criminal in any perſon to officiate in the Courts of Adaulut in the capacity of Naibs or Gomaſtahs, for principals non-reſident.

10*th*. All complaints of the Ryots or others, againſt the Dewans, farmers, Zemindars, or other public officers of the revenue, ſhall be received and decided by the Committee, or by perſons expreſsly appointed by them for that purpoſe.

11*th*. For the means of carrying the above plan into execution in ſuch a manner and at ſuch times as may be found moſt convenient for effecting the purpoſes intended by it, and preventing the ill conſequences to which the collections would be expoſed by an improvident and precipitate innovation, Reſolved, that the following plan be immediately adopted, to be, and to be declared to be, only for a temporary purpoſe, and introductory to the foregoing:

1*ſt*. The provinces to be formed into the following grand diviſions:

2*d*. Firſt grand diviſion to be managed at Calcutta; and to conſiſt of the Calcutta Pergunnas, Houghly, Hedgelee, Myſadel, Tumlook, Nuddea, Jeſſore, Mahmudshy, with the Talooks of Contoonagur, &c. and all lands belonging to perſons of credit, whoſe conſtant reſidence is in Calcutta: but this is meant only of lands which are their own property, not of ſuch as they may farm or be ſecurity for; and, even in theſe, the adminiſtration of juſtice muſt reſt entirely with the Provincial Council in whoſe diviſion they may be ſituated.

3*d*. Second grand diviſion to be managed at Burdwan; and to conſiſt of Burdwan, Midnapoor, Biſſenpoor, Patcheet, Beerbhoom, Ramgur, &c. diſtricts under the management of Captain CAMAC.

4*th*. Third grand diviſion to be managed at Moorſhedabad; and to conſiſt of Rajeſhahe eaſtern and weſtern diviſions, Rockunpoor Collectorſhip, Chunacolly Ditto, Luſhkerpoor Ditto, Jehanguirepoor Ditto, Caus Talooks, Rajemahl, and Boglepoor, including the annexation lately made to the latter from Mongheer, Currackpoor, Jungletterry, &c. diſtricts under the management of Captain BROOKE.

5*th*. Fourth grand diviſion to be managed at Dinagepoor, and to conſiſt of Dinagepoor, Silberries, Purnea, Rungpoor, Edrackpoor, Baharbund, Cooch Behar, Rangarmatty.

6*th*. Fifth grand diviſion to be managed at Dacca, and to conſiſt of Dacca, Sylhet, Attya, Cogmary, Burbazzoo.

7*th*. Sixth grand diviſion to be ſuperintended by the preſent Chief and Council at Patna, and to conſiſt of the whole Province of Bahar, excepting the ſeparated diſtricts of Mongheer &c. as abovementioned.

8*th*. The diſtricts of Chittagong and Tipperah, to remain on their preſent footing under the management of a Chief.

9*th*. A Committee of revenue to be inſtituted at Calcutta, for ſuperintending the firſt grand diviſion; to be compoſed of two Members of Council, and three ſenior ſervants; under them, a Secretary, a Perſian Tranſlator, an Accountant, and five Aſſiſtants.

10*th*. Councils of revenue to be formed for ſuperintending the ſecond, third, fourth, and fifth, grand diviſions; to be compoſed of a Chief and four ſenior ſervants; under them, a Secretary, a Perſian Tranſlator, an Accountant and three Aſſiſtants.

11*th* As the detail to be conducted by the Committee at Calcutta, will ſuperſede the neceſſity of a Superintendent of the Khalſa, that office to be aboliſhed when the Provincial Councils have been all eſtabliſhed.

12*th*. The Regiſtry of the Khalſa is however ſtill to remain, and the Roy Royan to act therein under the collective controul of the Council of Revenue, as at preſent, and the immediate controul of the Governor.

13*th*. The office of Auditor and of Accountant General ſhould alſo continue; but the Accountant General to have no connection with the Committee of Revenue, further than receiving their accounts, as he does thoſe of every other grand diviſion, through the channel of the Council of Revenue.

14*th*. A Dewan to be appointed to each of the Provincial Councils, who ſhall be choſen by the Board, either from among the preſent Dewans of the diſtricts, or ſuch other perſons as they ſhall deem well qualified for that office. The Roy Royan to act as Dewan, aſſiſted by one of his Naibs, to the Committee of Calcutta.

15*th*. The Committee, and the ſeveral Provincial Councils, to correſpond with the Council of Revenue, and their Dewans with the Roy Royan, and to act under their orders in every reſpect as the Collectors do at preſent. The Perwannahs of the Revenue Council to the Dewans will of courſe be ſigned by the Governor in lieu of the Superintendent. All Sunnuds, that may be reſolved to be granted by the ſuperior Council of Revenue, ſhall be regiſtered by the Secretary, in a book kept for that purpoſe, and be iſſued under the ſeal of the Khalſa, and the ſignature of the Governor.

16*th*. The collections in the diſtricts compoſing the grand diviſions, which are not the ſeat of the Provincial Councils, to be managed by Naibs, at ſuch ſtations as they may judge neceſſary. And as the immediate reſponſibility of their management reſts upon the Provincial Councils, they ſhall be allowed the recommendation of the perſons they think moſt proper for the truſt, but their nomination ſhall proceed from the Board. N. B. The Committee at Calcutta, wherever Provincial Councils are mentioned, is always underſtood to be one, to avoid repetition.

17*th*. The Naibs to receive their orders from the Provincial Councils; which, having been approved by the majority of the Members, ſhall be iſſued under the public ſeal, with the ſigning of the Chief and the Dewan; their correſpondence and accounts to be ad-

dreſſed to the Chief and the Dewan, and ſealed with their ſeals as Naibs. Tranſlations, or abſtracts, of all ſuch letters and accounts, to be invariably made and recorded at the public meetings of the Councils.

18th. Each Provincial Council to be furniſhed with a public ſeal for its diviſion, and all the ſeals at preſent in the hands of the Collectors to be returned to the Preſidency.

19th. The Collectorſhip of Coch Behar to be put upon the ſame footing as Ramgur and Cuttickpoor; the officers to receive their orders ſolely from the Governor, and only to ſend their accounts to the Councils of their reſpective diviſions, for the ſake of regularity.

20th. The Naibs of the diſtricts under each Provincial Council to hold Courts of Dewanhee Adaulut, according to the preſent Regulations, and tranſmit their proceedings to the Provincial Councils; but appeals in all caſes to be allowed from them to the Provincial Sudder Adaulut of the diviſion, without the five per cent fee. Theſe Courts of Provincial Sudder Adaulut, to be ſuperintended in rotation by the Members who are not of the Council of Fort William. To decide ultimately on all caſes not exceeding 1,000 Rupees; (in this is included Mulguzarry land, of which the Jumma or produce is not more than 1,000 Rupees, and alienated or free land, of which the Jumma is not more than 100 Rupees): in caſes exceeding that ſum, an appeal to be, as at preſent, to the Sudder Dewannee Adaulut. In all caſes, the Provincial Councils at large may reviſe the deciſions of the Superintending Member. Complaints againſt the head farmers, Naibs of the diſtricts, Zemindars, and other principal officers of the Government, relative to their conduct in the revenue, to be decided by the Provincial Councils, and entered on their proceedings: if any of them think themſelves aggrieved, they may apply ultimately to the ſuperior Council of Revenue at Calcutta. Sunnuds for lands, whoſe Jumma is no more than abovementioned, may be granted by the Provincial Councils, under the public ſeal and the ſignature of the Chief, after being regiſtered by the Secretary in a book kept for that purpoſe; of which a copy ſhall be tranſmitted monthly to the Preſidency and a complete alphabetical copy annually.

21ſt. Strict orders ſhall be given in writing to every Officer commanding the Sepoy ſtations, forbidding them to detach any Sepoys, either ſingly or in parties, for any purpoſe whatever, beyond their quarters, except when required on military ſervice; to puniſh or confine any perſon not appertaining to his command; to lend or borrow money; to take any concern in farms, Talooks, or ſecurities; to purchaſe or ſell, or contract to purchaſe or ſell, any article whatever, either in the diſtrict in which he reſides, or in any other; or to have any dealings of any kind whatever with any Dewan, Zemindar, farmer, Ryot, or other dependant or officer of the revenue. The ſame orders ſhall be publiſhed to be obſerved by the other officers, both European and native, of the battalion, and by all the Sepoys and followers of it. It ſhall be declared likewiſe, that the Commanding Officer

ſhall be reſponſible for any public breach of theſe orders by any perſon whatever under his command; and the Governor ſhall have the power of recalling them, without aſſigning a reaſon to them, or to the Board.

22*d*. The officers of the Foujedary Adauluts ſhall be forbid to hold farms or other offices in the Moſuſſil; they ſhall be obliged to reſide on pain of forfeiting their employments; and it ſhall be declared criminal in any perſon to officiate in the Courts of Adaulut in the capacity of Naibs or Gomaſtahs for principals non reſident.

23*d*. Complaints againſt the officers of the Foujedary Adauluts to be made to the Governor, and to be referred by him to the Sudder Nizamut Adaulut, for their inquiry and determination.

24*th* The Members of the Superior Council, whether in Calcutta or in the diviſions, to be reſtricted from every kind of trade whatever, excepting diamonds for remittances to Europe, goods purchaſed in Calcutta to be exported to foreign markets, and goods brought from foreign markets for ſale in Calcutta; and in conſideration of this prohibition to be allowed 3000 Rupees per month: each Member ſhall bind himſelf to the obſervation of this article under a penalty of £.20,000 ſterling.

25*th*. The Export Ware-houſe keeper at Calcutta to be reſtricted from the trade in ſuch articles as conſtitute the Company's inveſtment; and the Export Ware-houſe keepers of the diviſions, and the Reſidents of Bowlea, Comorcolly, Malda, Rungpoor, Luckipoor, and Colinda, from the ſame articles within their reſpective diviſions or diſtricts.

26*th*. The Members and Aſſiſtants of the Provincial Councils, and the other covenanted ſervants of the Company, reſiding in the ſubordinate factories and out diſtricts, to be reſtricted from making advances for grain, or any ſuch articles as contribute to the ſubſiſtence of the natives, and cannot be dealt in without oppreſſion to them; ſuch as ghee, oil, fiſh, jute, matts, ſtraw, bamboos, beetel-nut, and tobacco; which they ſhall purchaſe with ready money only at the capital markets of the country; and it is expected that the Chief of every Provincial Council will give particular attention to the rigid obſervance of this Regulation; and if any of the ſervants in his diviſion, of whatever rank, ſhould deviate from it, or in any other reſpect carry on a commerce oppreſſive to the inhabitants, he is hereby authorized and required to addreſs the Board at Calcutta on this ſubject, independent of his Council; and by his own authority to ſeize any other perſon accuſed of committing any actual violence on the perſons or property of the inhabitants, that he may take his trial at the Provincial Court of Adaulut.

27*th*. It ſhall be made an article in the inſtructions given to the Chief and Council of every diviſion, that they make particular inquiry concerning every Talook, or other

ſmal'er porſion of land included within each diſtrict of their diviſion, but appertaining to ſome other diſtrict, whether of their own or any other diviſion, that they aſcertain the limits, Malguzarry, and profits of the ſame: That in like manner they obtain an account of every portion of land belonging to either of the diſtricts of their diviſion, but not included in it, and that they report the ſame to the ſuperior Council, with the names of the proprietors, and every other circumſtance which may enable them to effect an exchange or alienation of theſe ſeparated lands, on ſuch terms as may be ſatisfactory to the owners, and to form a more complete and entire arrangement of the diſtricts, for the better government and the eaſier management of the collections.

It being the profeſſed intention of the Board to make the plan now adopted ſubſervient to that which they propoſe for a future and perpetual ſyſtem; it is their further deſign that whenever the accounts and arrangements of any one diviſion ſhall be ſo regulated and completed, as to enable them to bring the controul down to the Preſidency, the Provincial Council ſhall be accordingly withdrawn, and either continue to conduct the buſineſs of the diviſion at the Preſidency, or tranſfer it at once to the Committee.

In order to carry the temporary plan into execution, the Board is further agreed on the following reſolutions:

1ſt. That the Committee of Revenue at the Preſidency be appointed, as neceſſary to the eſtabliſhment of the other arrangements.

2d. That they do immediately aſſemble, and take meaſures for entering upon and executing their charge; that the public Regulations already eſtabliſhed, with thoſe contained in the 14th, 15th, 16th, 17th, 18th, 20th, 21ſt, 22d, 23d, 24th, 25th, 26th, and 27th articles of the foregoing plan, ſhall in general be the rule of their conduct; and that they do apply from time to time to the Superior Council of Revenue for ſuch further inſtructions as may be required.

EXTRACT *of* REVENUE CONSULTATIONS, *1ſt November* 1776.

The Governor General delivers in the following minute.

In whatever manner it may be hereafter determined to form the new ſettlement of the provinces after the expiration of the preſent leaſes, it will be equally neceſſary to be previouſly furniſhed with the accurate ſtates of the real value of the lands, as the grounds on which it is conſtructed. To obtain theſe, will be the work of much official knowledge, ſome management, and unremitted labour in compiling and collecting the accounts of the paſt collections, in digeſting the materials which may be furniſhed by the Provincial Councils and Dewans, in iſſuing orders for ſpecial accounts and other materials of information, and in deputing native officers on occaſional inveſtigations.

It is impoſſible for the Board to conduct a buſineſs of ſuch detail, neither can it be left wholly to the Provincial Councils: it requires uniformity in the deſign, authority in the execution, and an extraordinary ſhare of reſponſibility, to animate the zeal of thoſe who are entruſted with the charge of it.

I therefore propoſe, that a temporary office be conſtituted to execute this buſineſs under the conduct of one or two covenanted ſervants of the Company, aſſiſted by a Dewan and other officers, either ſelected from the offices of the Khalſa, or occaſionally choſen for ſpecial commiſſions; that for the ſake of diſpatch, all orders iſſued from this office, for the execution of ſuch particular ſervices as ſhall have received the general ſanction of the Board, be written in the name of the Governor General, and the controul of it be committed to his immediate charge.

Beſides the immediate duty of this office, which I have above deſcribed, and which I ſuppoſe to be indiſpenſably neceſſary and eſſential to the formation of an equal ſettlement, many other points of inquiry will be alſo uſeful, to ſecure to the Ryots the perpetual and undiſturbed poſſeſſion of their lands, and to guard them againſt arbitrary exactions. This is not to be done by proclamations and edicts, nor by indulgences to the Zemindars and farmers. The former will not be obeyed, unleſs enforced by Regulations ſo framed as to produce their own effect without requiring the hand of Government to interpoſe its ſupport; and the latter, though it may feed the luxury of the Zemindars, or the rapacity of the farmers, will prove no relief to the cultivator, whoſe welfare ought to be the immediate and primary care of Government.

The deſign of eſtabliſhing new Pottahs for the Ryots, the failure of which has been often objected to as a reproach on the late adminiſtration, has been tried with equal ill ſucceſs by the preſent, in their late ſettlement of Burdwan; where, notwithſtanding the ſolemn engagement of the Zemindars, and the peremptory injunctions of Government, not a Pottah has yet been granted (if my information is true, and it may be eaſily proved), nor will be granted, of a different tenure from thoſe which have been cuſtomary for ſome years paſt, unleſs more regular means are taken to produce them. Future effects may be concluded from ſuch ſimple cauſes without the ſpirit of prophecy. It is the Zemindar's intereſt to exact the greateſt rent he can from the Ryots; and it is as much againſt his intereſt to fix the deeds by which the Ryots hold their lands and pay their rents, to certain bounds and defences againſt his own authority. The foundation of ſuch a work muſt be laid by Government itſelf: all that I would here propoſe is, to collect the materials for it, by obtaining copies of the preſent Pottahs, and of the Nerric-bundee, or rates of land, by which they are regulated in each diſtrict, and every other information which may throw a light on this ſubject, and enable the Board hereafter to eſtabliſh a more permanent and regular mode of taxation.

EXTRACT *of* REVENUE CONSULTATIONS, *20th December* 1776.

The Governor General lays before the Board a report which he has received from Meſſrs. ANDERSON, CROFTES and BOOLE, * together with a liſt of Aumeens recommended to be deputed into the diſtricts. He requeſts the Board's approbation of the temporary eſtabliſhment therein propoſed; and he recommends that letters be written to the Calcutta Committee, to the Provincial Councils of Moorſhedabad, Burdwan, and Dinagepoor, and to the Collector of Baughlepoor, informing them of the names of the Aumeens deputed into the diſtricts in their reſpective diviſions, and of the purpoſes of their appointment, and requiring them to afford the Aumeens every aſſiſtance; according to the accompanying draſts. The Governor General alſo lays before the Board a draft of the inſtructions which he propoſes to give the Aumeens.

Letter from the Superintendents to the Governor General, dated 17th December 1776.

Having duly deliberated on the moſt effectual means of accompliſhing the objects of the Honorable Board, in appointing us to ſuperintend an office for collecting and arranging materials for the enſuing ſettlement, we are of opinion, that in order to aſcertain the real value of the lands, the nature of the Ryot's Pottahs in different parts of Bengal, and to elucidate the other points recommended in our inſtructions, it will be neceſſary to depute native officers into the country, for the ſole and expreſs purpoſe of collecting ſuch accounts and information as have reference to the buſineſs of our office.

We beg leave therefore to encloſe a liſt of perſons recommended by the Paiſhcar, as well qualified to execute this duty in the ſeveral diſtricts to which they are nominated, together with the monthly eſtabliſhment propoſed to be aſſigned them.

From the vicinity of the Calcutta lands, and the Hoodas of Houghley, we are of opinion that the accounts of thoſe diſtricts may be collected by the officers of the Sudder Sheriſta, without incurring any additional expence: we therefore recommend that Neir Sing, who is already employed under us, be nominated to perform that duty, aſſiſted by ſome of the Mohrirs included under the Sudder eſtabliſhment.

There are a few other diſtricts for which our Paiſhcar has not yet fixed upon proper Aumeens. We expect in a few days to be able to addreſs you concerning them.

Draft of Inſtructions to the Aumeens for Nuddea.

As it is neceſſary to aſcertain the Huſtabood of the lands, you are appointed an Aumeen, for the purpoſe of collecting the accounts of the Pergunnas of Aurah &c. (the Zemindarry of the Rajah of Nuddea,) you will accordingly proceed to the Sudder Cutcherry;

* The Gentlemen, who were appointed to ſuperintend the office inſtituted conformably to the propoſal contained in the foregoing minute.

and upon your arrival, you will demand from the Zemindar, the Kutkinadars, the Etmaumdars, and the reſt of the Zemindarry officers and people employed in the revenue buſineſs, the accounts of the Jumma, of the collections, of the balances, of the Serinjammy, and other expences incurred in the collections of the revenues, and the other buſineſs of the Mofuſſil, from the beginning of the Bengal year 1176, or the time of the ſettlement made by the Committee of Circuit.

You will then demand from the Putwarries of two or three villages of each diviſion, held by the Kutkinadar or Etmaumdar, the accounts of the Ryots; and by comparing them, you will aſcertain the truth or falſehood of the accounts delivered to you by the Etmaumdar or Kutkinadar.

In the ſame manner you will check what you may have received from the Zemindar, by comparing them with thoſe of the Etmaumdars and Kutkinadars.

You will compare the accounts of the Jumma of 1178 with thoſe of the Jumma of 1173, and the ſubſequent years, down to this time, tracing the different articles of increaſe or decreaſe. You will alſo procure the accounts of Chakeran lands and Bauzee Zemeen.

You will ſend all the papers abovementioned to the Huzzoor, authenticated by the ſeal and ſignature of the perſon from whom you receive them, and atteſted by the deputies of the Canongoss.

You will aſcertain the nature of the Ryots' Pottahs, the manner in which they pay their rent, and every circumſtance relative to the Nerrickbundee; with this view, in diſtricts which have been increaſed, you will demand the Jummabundy accounts of three villages, taken indiſcriminately; and in diſtricts where the accounts of the meaſurement are not to be found, having inquired into the circumſtances of the land, the Jumma, the Dakhel, and Kharidge (or annexations and alienations), and having aſcertained the ſtate of the Nerrick in one or two villages, you will cauſe the Putwarries to form a Jummabundy account of them for the year 1182.

All the abovementioned accounts, as well as thoſe of the Jummabundy, you will ſend down as ſoon as they can be got ready, for the inſpection of the Huzzoor.

In the courſe of the buſineſs, if you ſhould meet with any obſtructions, you will apply to the Chief of the Provincial Council, who will afford you every neceſſary aſſiſtance. You muſt be particularly cautious and circumſpect, and you muſt ſtrenuouſly exert yourſelf to accompliſh the objects of your appointment fully and accurately: if any of the officers of the Zemindars, Kutkinadars, or Etmaumdars, in furniſhing you with accounts, attempt to deceive you, or are guilty of neglect, or in any other reſpect behave improperly, their conduct will not eſcape the obſervation of the Huzzoor; it will immediately be reſented: whereas, on the contrary, if it appears that they act candidly and fairly,

it will be for their advantage. In proportion as you diſcharge your duty with zeal and integrity, your character will be raiſed, and you will be entitled to the favour and conſideration of Government.

You will regularly communicate to the Huzzoor the ſtate of your buſineſs, and repreſent ſuch matters in the courſe of it, as require orders: and you are in every thing to be regulated by the inſtructions of the Huzzoor.

EXTRACT *of* CONSULTATIONS *of the* REVENUE DEPARTMENT, *16th July* 1777.

Letter from the Governor General and Council to the Provincial Council and Collectors, except Ramgur and Patna, dated 16th July 1777.

Encloſed we tranſmit you the copy of a plan on which we have determined to form the ſettlement for the current year. We direct you therefore to conform to it, and without loſs of time to enter on the buſineſs of the new ſettlement.

Plan of Settlement.

1ſt. That ſuch lands, as are now in charge of the Zemindars, be left under their management, if they will conſent to hold them on the Jumma and Kiſtbundy of laſt year.

2d. That ſuch lands, as are now in charge of the Zemindars, be left under their management, although they ſhall refuſe to hold them on the Jumma and Kiſtbundy of laſt year, if they will conſent to hold them for ſuch a rent as the Provincial Council of the diviſion to which they belong ſhall judge adequate to their real worth.

3d. That no Mulzamin or ſecurity ſhall be exacted for ſuch lands, as have been let in the manner directed in the preceding articles, which are either the entire portions of ſingle Zemindars; or, being diviſions of a Zemindary, are ſo conſiderable as to have been let ſeparately to the proprietors; or being the property of many Zemindars, who poſſeſs them, have been let to all the copartners, but the ſole management and direct reſponſibility conſigned by their conſent, expreſſed in their Caboolcats, to one of the copartners.

4th. That for all lands let to the Zemindars as above directed, it be expreſsly ſtipulated in their Caboolcats, that in caſe of their falling in arrears, they ſhall be liable to be diſpoſſeſſed, and that their Zemindarries, or portions of them, ſhall be ſold to make up the deficiency.

5th. That ſuch Zemindarries, as belong to many proprietors in diſtinct diviſions or ſhares, may be let in farm in the manner hereafter mentioned, with this ſpecial condition, that the farmers ſhall exact the rents due from the Zemindars or Talookdars, but ſhall not diſpoſſeſs them or interfere in their reſpective collections, without the ſanction

of the Provincial Council of the diviſion to which they belong; which ſhall only be granted in the caſe of their falling in arrears.

6th. That if the copartners of a Zemindarry cannot be induced to delegate the charge of their Zemindarry to one of their number, as provided in the third article, a Malzamin or ſecurity be accepted in lieu thereof; but the conditions of the leaſe ſhall be the ſame as are expreſſed in the third article.

7th. That the Provincial Councils ſhall be directed to adverti ſe for ſealed propoſals to farm, this year only, all ſuch lands as are not deſcribed in the preceding articles; (that is to ſay, all ſuch lands as are at preſent under charge of Zemindars who ſhall refuſe to retain them on the terms preſcribed in the two firſt articles, or which are at preſent under charge of the Naib Dewans or Sezawels or Etimaumdars); that the advertiſements be immediately publiſhed; that they ſhall expreſs the names of the Pergunnas or other diviſions conſtituting each reſpective farm; that they ſhall fix a day for receiving the propoſals, not exceeding twenty days from the publication; that they ſhall expreſs, that the farms ſhall be granted to thoſe perſons who ſhall offer the moſt advantageous terms, provided they are men of ſubſtance, and reſidents of the diſtrict in which the farms are ſituated; and that every farmer ſhall give ſuch ſecurity for the performance of his engagements as the Provincial Council ſhall judge ſufficient.

8th. That the Provincial Councils be directed to let the ſalt Mahls in like manner on the moſt advantageous terms, with the exception mentioned in the following article, for a ready money rent including duties; the ſalt to be left to the diſpoſal of the farmers; that no advances ſhall be made to them by Government; and that they ſhall not make any claims for balances after the expiration of their leaſes.

9th. That a preference be given to ſuch Zemindars or farmers as are willing to take the ſalt Mahls lying within the limits of their reſpective farms, even though the terms offered by them ſhould be conſidered lower than thoſe of others.

10th. That the Provincial Councils ſhall be authorized and directed to receive Cabooleats from the Zemindars and farmers to whom the lands ſhall be let in any of the preceding modes, and to put them in immediate poſſeſſion, tranſmitting the Aumulnamas for the ſanction and ratification of the Governor General and Council.

11. That all the Aumeens now in office be directed to repair immediately with their accounts to the Sudder Cutcherries of the reſpective diviſions in which they are employed, to attend on the Provincial Councils, and furniſh them with ſuch materials and informations as may be required for the formation of the ſettlement.

Extract *of* Proceedings *of the* Governor General *and* Council *in the* Revenue Department, *7th April* 1778.

Extract of a circular letter to the Provincial Councils (except Patna): dated 7th April 1778.

We deſire you will forward to us your general accounts on the 1ſt of Jeyte, and direct your Dewan to tranſmit his accounts, cloſed to the ſame period, to the Khalſa, with an accurate explanation of the balances, which, however, we hope will be very trifling.

You will cauſe publication to be made at all the Cutcherries of your diviſion, that ſuch Zemindars, as ſhall have paid their revenue without deficiency on the laſt day of Byſack, ſhall hold their lands on the ſame terms for the enſuing year; but that portions of ſuch Zemindaries, as ſhall be in balance at that period, will be ſold to make good the revenue, or the Zemindaries given in farm to any one who will agree to diſcharge the balance of the year 1184, with the ſame Jumma for 1185.

Circular letter to the Provincial Councils (except Patna): dated 8th May 1778.

We deſire you will finally conclude the ſettlement for the preſent year with all ſuch Zemindars as on the 30th of Byſack 1185 ſhall have paid up their revenue without balance, cauſing them to execute new Caboleats, and tranſmitting to us the Amilnamahs or leaſes, in the form which was uſed laſt year, for ſignature.

You will alſo immediately renew the leaſes of ſuch farmers as ſhall have paid up their rents for the year 1184, or to whom you ſhall not have ſome reaſonable objection; and the farms of ſuch farmers as ſhall be in balance, or to whom you may have reaſonable objection, you will offer to the Zemindar at the Jumma of laſt year; and in caſe of the Zemindar's refuſal, the lands are to be let out to farm in the ſame manner as they were laſt year.

You will tranſmit to us a liſt of ſuch Zemindars, as ſhall not on the 30th of Byſack have completed their payments for the year 1184, with an accurate explanation of the cauſes aſſigned by the Zemindars for being in balance, with your opinion upon the degree of weight which ſhould be allowed to their repreſentations; but you will by no means complete the ſettlement with any Zemindar in arrears without our orders.

Extract *of* Proceedings *in the* Revenue Department, *26th January* 1779.

Extract of a letter to the Calcutta Committee dated 26th January 1779.

Not having the Kiſtbundy before us, nor aware at the time, that the Kiſts were payable in two diſtinct periods of the ſame month, we laid down the rule for making the

ultimate demand on the 5th of the enſuing month, ſuppoſed to be the 5th day from that on which the Kiſt became due, and to apprehend and confine the Zemindars on the 15th ſuppoſed alſo to be the 15th from the date of the Kiſts: but as it now appears theſe Regulations became a ſanction to them to with-hold the firſt Kiſt of the month for a whole month after it became due, we have modified the rule to this ſtate of the Kiſt-bundy; and therefore direct, that you make your final demand for ſuch Kiſt on the 5th day after it is due, and cauſe the Zemindars to be taken into confinement on the 15th day after the Kiſt is due in the caſe of its not being then paid.

EXTRACT *of* CONSULTATIONS *in the* REVENUE DEPARTMENT, *7th May* 1779.

Circular letter to Provincial Councils and Collectors (excepting Patna, Sircar Sarun and Midnapoor.)

We deſire you will conclude the ſettlement of your diſtricts for the preſent year upon the terms preſcribed in our orders of the 7th April and 8th May 1778 tranſmitting to us the Amilnamahs as uſual.

You will alſo conform to our abovementioned orders with reſpect to the cloſe of your annual accounts.

Orders circulated to the ſeveral Provincial Councils and Collectors on 2d May, 1780.

We direct you to conclude the ſettlement of your diviſion for the preſent year upon the terms preſcribed in our orders of the 7th of April and 8th of May 1778, tranſmitting to us the Amilnamahs as uſual.

You will alſo conform to our abovementioned orders with reſpect to the cloſe of your annual accounts.

PERMANENT PLAN *for the* ADMINISTRATION *of the* REVENUES *of Bengal and Behar, formed the 20th February* 1781, *by the Honorable the* GOVERNOR GENERAL *and* COUNCIL, *in their* REVENUE DEPARTMENT.

The ſyſtem which yet ſubſiſts, though with many eſſential variations, of ſuperintending and collecting the public revenue through the agency of Provincial Councils, was inſtituted for the temporary and declared purpoſe of introducing another more permanent mode, by an eaſy and gradual change, by which the effects of too ſudden an innovation might be avoided. This permanent plan is methodically and completely deli eated in

the ſame proceedings of the 23d of November 1773, of this Department, in which the Provincial Councils were eſtabliſhed. It conſiſts ſubſtantially in this; that all the collections of the provinces ſhould be brought down to the Preſidency, and be there adminiſtered by a Committee of the moſt able and experienced of the covenanted ſervants of the Company, under the immediate inſpection of, and with the opportunity of inſtant reference for inſtruction to, the Governor General and Council.

Conformably to this deſign, it is now reſolved and ordered,

1ſt. That a Committee of revenue, conſiſting of four covenanted ſervants of the Company, be immediately conſtituted; who ſhall be intruſted with the charge and adminiſtration of all the public revenues of theſe provinces, and inveſted, in the fulleſt manner, with all the powers and authority, under the controul of the Governor General and Council, which the Governor General and Council do themſelves poſſeſs, and ſhall not reſerve excluſively to themſelves.

2d. That the firſt perſons nominated to this charge be Mr. DAVID ANDERSON, Mr. JOHN SHORE, Mr. SAMUEL CHARTERS, and Mr. CHARLES CROFTES.

3d. That the Provincial Councils ſhall be diſſolved, and their charge and powers transferred to the Committee of Revenue; that the Members of the Councils be ordered forthwith to repair to the Preſidency, except the Chiefs of each, who ſhall remain in the temporary charge of their reſpective diviſions, under the authority of the Committee, until ſuch time as they ſhall be recalled by the orders of the Governor General and Council.

4th. That the Collectors of the ſeparate diſtricts ſhall in like manner remain in their reſpective ſtations, under the authority of the Committee, until ſuch time as they ſhall be recalled by order of the Governor General and Council.

5th. That the office of Superintendent of the Khalſa records ſhall be aboliſhed, and the office of the Khalſa, with all its dependent offices, and all the functions and powers appertaining to it, ſhall be transferred to the Committee of Revenue.

6th. That the Canongoes ſhall be re-inſtated in the complete charge and poſſeſſion of all the functions and powers which conſtitutionally appertain to their office.

7th. That the Committee ſhall examine and report the preſent ſtate of the other offices dependant on the Khalſa, and propoſe ſuch alterations as ſhall appear to them neceſſary for making them anſwerable to the purpoſes of their inſtitution, and bringing them under the controul and daily inſpection of the Committee.

8th. That the Committee ſhall immediately prepare eſtabliſhments for their own immediate departments, and ſuch temporary eſtabliſhments as ſhall be judged neceſſary for the Collectors of the diviſions or diſtricts, and ſhall lay the ſame before the Board for confirmation.

9th. That ſuch of the Company's ſervants as ſhall be removed from their preſent offices in conſequence of theſe arrangements, ſhall be permitted to draw the ſame allowances as they draw at preſent, until they ſhall be appointed to other offices, or until it ſhall be the pleaſure of the Board to withdraw this indulgence.

10th. That the Committee ſhall meet three days in every week, or as much oftener as their buſineſs ſhall require: that they ſhall form reſolutions and orders for the current or ordinary buſineſs of their Department, and report to the Board, as they ſhall happen, ſuch extraordinary occurrences, claims, and propoſals, as may require the ſpecial orders of the Board: that they ſhall keep regular minutes of their proceedings in the cuſtomary form, and do no act collectively which ſhall not be recorded therein: that they ſhall lay a fair copy of each month's proceedings, together with a ſummary report of the ſame, the Jumma-Waſſil-Baukee, or accounts of demands, receipts, and balances, of each diviſion or diſtrict, and general and particular accounts of receipts and diſburſements, and Treaſury accounts of each month, before the Board, on the fifteenth of the enſuing month.

11th. That if the Members of the Committee differ in opinion upon any queſtion before them, the majority, or the caſting voice of the Preſident or Senior Member preſent, ſhall decide, and form the reſolution of the whole: but it is not expected that every diſſentient opinion ſhall be recorded; but where the caſe ſhall be deemed of ſuch importance as to require it, it ſhall be immediately referred, together with ſo much of the proceedings as have an immediate relation to it, to the Board; but the determination of the majority of the Committee ſhall not therefore be ſtayed, unleſs it ſhall be ſo agreed by the majority.

12th. That the Preſident of the Committee do iſſue, of his own authority, during the intervals of their meetings, ſuch occaſional or ſubſidiary orders as ſhall be neceſſary for carrying into execution any exiſting orders of the Committee, or for perſonal attendance, or for preparing materials for the inſpection of the Committee, or for any ſuch other purpoſes as the Committee ſhall judge it adviſable to commit to his ſeparate charge as their executive Member; and all the officers, ſervants, and dependents, ſhall be required and enjoined to yield implicit obedience to all orders which they ſhall receive from him, ſubject, of courſe, to the ſuperior authority of the Committee: that the Members of the Committee ſhall not poſſeſs or exerciſe individually the ſame power, except in caſes in which, for the greater diſpatch of buſineſs, they ſhall agree to divide it into ſeparate and occaſional portions between them, or to aſſign any ſpecial charge to any Member ſeparately.

13th. That a commiſſion of two per cent on all nett ſums paid immediately into the Treaſury at the Preſidency, on account of the public revenue, in the courſe of every month, and a commiſſion of one per cent on all ſums paid to the Treaſuries which re-

main under charge of the Collectors, in the course of each month, after deducting all charges incurred in the same month, shall, on the passing of each month's account, be allowed to the Members of the Committee and their principal Assistants, as the reward of their trouble, from this time, or from the first day of the month of Fagun, to the conclusion of the ensuing Bengal year, or the end of the month of Cheyt, 1188; and shall be shared between them in the following manner; viz. The whole being divided into twenty-five shares, the President shall take six shares, each of the other Members of the Council shall have five shares, and the remaining four shares shall be divided equally between the Secretary and the present Assistant of the Superintendent of the Khalsa records, who shall continue to perform the same duties, under the authority of the Committee and the occasional orders of the Board, as he has hitherto done under the Superintendent of the Khalsa records; and these allowances shall be in lieu of all salaries, emoluments, and perquisites, whatever.

14th. Each Member of the Committee shall, on his admission to his office, solemnly take and subscribe the following oath; viz.

I, A B, do swear, that I will faithfully discharge the office of a Member of the Committee of Revenue; that I will not receive, directly or indirectly, from any Zamindar, Talookdar, farmer, or other landholder or officer, or other dependent of the Committee, any present or gratuity of any kind whatsoever; neither will I acquire or receive any lucrative advantage by my office, but such as shall be publickly allowed me by the Governor General and Council. So help me God.

Regulations formed by the Committee for conducting the business of the Department, 2d March 1781.

The Honorable the Governor General and Council having resolved to invest the Committee with the functions and powers appertaining to the office of the Khalsa; and having directed them to examine and report on the present state of the other offices dependent on the Khalsa, and propose such alterations as shall appear necessary for making them answerable to the purposes of their institutions; the Committee now proceed to take into consideration these resolutions and orders.

The Committee, reverting to the original Regulations for conducting the business of the Revenue Department at the Presidency, and that of the Khalsa, observe, that the principles, upon which the system was then established, were founded with a view to the establishment of some future Committee of Revenue, similar to that which has now taken place.

That the duty of the present Committee is there also defined to consist chiefly in issuing the necessary orders to the Collectors; in inspecting, auditing, and passing their accounts; in deciding upon all points of reference; and in issuing the necessary orders; subject to the approbation and controul of the Supreme Council.

That for carrying into execution the ſeveral duties, the former eſtabliſhment of the Khalſa, with ſome few variations, will now alſo be requiſite.

That it appears to the Committee, that as the Roy Royan was originally dependant on the Board of Revenue, and directed to attend there, he ſhould alſo be now conſidered as an officer under the Supreme Council.

That in this capacity, his duty will ſtill conſiſt in counterſigning all ſuch Perſian papers and orders as are executed by the Supreme Council, or by the Honourable the Governor General.

That he may be the better enabled to carry into execution ſuch orders as he ſhall receive from the Supreme Council or Governor General, he be ſtill allowed to call upon the native officers under the Committee, for copies of ſuch papers, in the different Sheriſhtas, as he may require.

That as the Supreme Council have thought proper to appoint a Dewan to the Committee, it will be the duty of the Dewan to counterſign the papers executed by them, and carry into execution ſuch orders as are given to him, and ſuch duties as appertain to his office; to be preſent at the meetings of the Committee, and ſit with them to receive their orders; and to attend the Preſident occaſionally, and to report ſuch matters to him as require his orders, which he is to obey.

That the Roy Royan, therefore, ſhall not be allowed to interfere in the buſineſs tranſacted by the Dewan of the Committee, as ſuch interference would occaſion frequent diſputes and great delay in the buſineſs, which each would aſcribe to the other.

That the duty, formerly veſted in the Roy Royan, of ſuperintending the conduct of the Provincial Dewans, of receiving accounts from them in the Bengal language, and of iſſuing counterparts of the orders which the Board of Revenue ſhould expedite to the Collectors, will now become unneceſſary.

That with reſpect to ſuch Provincial Dewans as remain in the diſtricts where Collectors are ſtationed, they ſhould continue to act under the directions of thoſe Collectors, to whom the Committee will expedite their orders.

That with reſpect to ſuch Provincial Dewans and Naibs as reſide in diſtricts where there are no Collectors, the Committee will alſo iſſue their orders to them through their Preſident; and ſuch orders are to be counterſigned by the Dewan of the Committee.

That the Collectors be accordingly directed to addreſs the Perſian and Bengal copies of ſuch accounts as they ſhall ſend to the Committee, to the Dewan of the Committee; and that orders be iſſued to the Provincial Dewans and Naibs, who reſide in diſtricts where there are no Collectors, to adopt the ſame mode of addreſs.

That the executive buſineſs, appertaining to the collection of the rents of the Huzzoory Mehals, will principally reſt with the Preſident of the Committee and Dewan, ſubject to the orders of the Committee.

That the Accountant General of the Dewannee will ſtill continue to perform the duties deſcribed in the old Regulations of the Khalſa, or ſuch other functions as may have ſince been preſcribed by the Honourable Board.

That all the accounts of the Revenue Department will, as uſual, be carried to his office.

That therefore the eſtabliſhment of an Accountant's office, for the Committee, will be unneceſſary; but the duties of ſuch an appointment may be performed by a Sub-accountant.

That the duty of a Sub-accountant will be, to receive the accounts tranſmitted to the Committee, deliver them to the Accountant General's office, and prepare ſtatements of the Kiſts due from the Huzzoory Mehals more immediately under the Committee, monthly Towjees of the ſame, with ſuch other accounts as he may be directed to furniſh.

That he be therefore conſidered as an officer jointly under the Committee and Accountant General.

That the official eſtabliſhment for the Roy Royan, ſpecified in the above Regulations of the Khalſa, will not in future be conſidered as a part of the eſtabliſhment of the Committee, but ſeparate from it.

That inſtead of the above office, an eſtabliſhment for the Dewan, of a number of native officers ſufficient to enable him to execute the duties appertaining to his appointment, be made.

That a ſeparate office for the Huzzoor Tehſeel, as mentioned in the old Regulations of the Khalſa, will now become unneceſſary, as the duties of this office will be performed by the Dewan and the officers under him.

That with reſpect to the Canongoe's office, it will become the ſubject of future conſideration, when the Committee proceed to carry into execution the orders of the Honourable Board for the eſtabliſhment of the Canongoes.

That the eſtabliſhment of a general Treaſury office, as deſcribed in the above Regulations of the Khalſa, will ſtill be neceſſary; but that, to facilitate the receipt of the revenues, to check the accompts, and preſerve regularity in them, it is the opinion of the Committee, that a ſubordinate Treaſury office ſhould be eſtabliſhed for that part of the Huzzoor Tehſeel, made by the Committee themſelves, or their officers immediately under them.

That in order to prevent all confuſion in terms, the general Treaſury of the Committee do ſtill retain the name of the Khalſa Treaſury, and that the ſubordinate Treaſury office be denominated the running Treaſury.

That with reſpect to the other ſubordinate offices dependant on the Khalſa, it will be neceſſary to retain them, with ſome variations; and they will ſtill continue the functions deſcribed in the above Regulations, or ſuch others as ſhall be preſcribed.

The Committee, having premiſed the obſervations neceſſary for carrying into execution the orders of the Honourable the Governor General and Supreme Council, now proceed to form their eſtabliſhment.

That as nothing contributes more to an expeditious and regular diſpatch of buſineſs than general forms and rules, the Committee think it neceſſary to paſs the following reſolutions, for their own guidance, and that of their officers under them.

Collections of the Revenues of the Huzzoor Tehseel.

That Tullub Chittees be regularly iſſued on the 20th of each Bengal month, for one half of the Kiſt of the Huzzoory Mehals for the ſame month.

That on the 30th of each Bengal month, Tullub Chittees be iſſued for the remaining half of the Kiſt of the ſame month.

That on the 5th of the enſuing month, (Bengal month,) Duſtucks be iſſued for the renters in arrears.

That to obviate the inconveniences which have ariſen from the dilatorineſs of the Zemindars and farmers in diſcharging their rents at the ſtipulated periods of their Kiſtbundies, and to conſtrain them in future to be more punctual in their payments, it be declared to them, that on all ſums remaining in arrear, fifteen days after the expiration of the period of the Kiſt, a percentage of one Rupee ſhall be levied over and above the amount of the Cabooleats.

That on ſuch part of the Kiſt of one month, as remains in arrear after the expiration of the following Kiſt, two per cent be levied; and that upon the deficiencies of every ſubſequent Kiſt, the ſame penalty be levied in the ſame proportion.

That theſe Regulations extend to the Zemindars and farmers of all the Mehals within the diviſions of Calcutta, Moorſhedabad, Burdwan, and Dinagepore, as the ſituation of theſe diviſions are ſufficiently contiguous to enable them to complete their engagements within the periods above ſpecified.

That the Dewan do deliver in an account of the Seah or receipts to the Preſident, ſigned by himſelf, daily; and that the Preſident do lay the account before the Committee at each meeting. Theſe accounts to be depoſited with the Sub-Accountant.

That the amount of the ſums brought into the Seah accounts of each day in the ſubordinate Treaſury, be paid in the evening into the Khalſa Treaſury.

Khalſa Treaſury.

That all remittances from the Collectors and Chiefs be immediately carried to the Khalſa Treaſury, and depoſited there.

That all diſburſements whatever be made from the Khalſa Treaſury.

That all ſuch ſums, as are paid according to fixed eſtabliſhments, be paid to an order of Treaſury, ſigned by the Preſident of the Committee and Accountant General, and counterſigned by the Dewan.

That all diſburſements, not included in fixed eſtabliſhments, be previouſly laid before the Committee, who will, if proper, paſs an order for their payment; after which the order on the Treaſury will be ſigned by the Preſident and Accountant General, and counterſigned by the Dewan.

That as often as the ſtate of the Treaſury admits, remittances be made from the Khalſa to the general Treaſury.

That theſe payments be made to an order, ſigned by the Preſident and Accountant General, and counterſigned by the Dewan; and that the Sub Treaſurer do give a receipt for every ſum ſo paid into the general Treaſury; which receipts are to remain with the Kezanchee of the Committee, to be produced with the monthly Treaſury account.

That the Committee, on the 6th of every Engliſh month, or the next Committee day enſuing, do examine and audit the monthly Treaſury account, previous to laying it before the Supreme Council.

That on the firſt day of every Engliſh month, or next Committee day enſuing, they do examine the report upon the Towjee accounts of the different Collectors and Chiefs and paſs ſuch orders and reſolutions thereon as they ſhall deem neceſſary.

That the Accountant General do alſo continue to report upon the accounts, charges, and Treaſury accounts, of the Collectors and Chiefs; which the Committee will take into conſideration, and paſs their orders, upon the 6th of every month.

PLAN *for the* SETTLEMENT *of the* REVENUE *of Bengal and Behar, for the Bengal year* 1183; *formed by the* COMMITTEE *of* REVENUE, *and ſubmitted by them to the Honourable the* GOVERNOR GENERAL *and* COUNCIL, *the 29th March* 1781.

The Honourable Governor General and Council having directed the Committee to form and lay before them a plan of a ſettlement for the enſuing Bengal year 1188, they now proceed to take theſe orders into conſideration.

With a view to the execution of theſe orders, the Committee have directed ſuch accounts and materials to be prepared, as they judged uſeful to give them information reſpecting the capacity, ſituation, and extent of the ſeveral diſtricts, and the peculiar circumſtances which have operated during ſome years paſt, to occaſion either improvement or decay in the revenues of each; an attention to which can alone enable them to form a plan capable of being reduced to practice: moſt of theſe accounts are now ready for their inſpection, and the remainder will ſoon be completed.

The two principal objects for conſideration are, the amount of the ſettlement, and the form of it.

The amount of the aſſeſſment muſt depend on the capacity of the different diſtricts. In ſome the aſſeſſment will be found already too great; others again, and the greateſt part, will admit of an increaſe.

To proportion this aſſeſſment in ſuch a manner as it may be realized, the value of the different diſtricts muſt be aſcertained: the Committee are of opinion, that this may be accompliſhed with a ſufficient degree of accuracy, without entering into minute examinations or new local inveſtigations.

The Committee have now accurate accounts of the ſettlement, receipts, balances, and remiſſions, from the year 1178 to the preſent time, as well as of the Zemindarry and Ijarredarry expences; the Aumeeny Records will alſo furniſh the Huſtabood accounts of many of the diſtricts, from the year 1179 to 1183, and for a longer period if neceſſary.

In following the information to be obtained from theſe records, the Committee cannot greatly err in fixing the amount of the aſſeſſment, particularly as they will add to this the information to be obtained from all Mutſuddies or others employed in the collection and management of the revenues. The character and capacities of the Zemindars, farmers, and others, who have had charge of the collections, will alſo be taken into conſideration, as being uſeful in ſome caſes to aſcertain whether the non-payment of the rents of any particular place has been owing to the fault or incapacity of the perſon employed, or to the want of funds in the diſtrict.

In comparing theſe ſeveral accounts and information, they propoſe taking ſome data as a ground-work to proceed upon. The method, which appears to them the ſimpleſt and eaſieſt, is, to take the higheſt actual collections that have been made in any one year from 1178 to the preſent time, and from an examination of the remiſſions which have ſince been granted, and a compariſon of the Huſtabood accounts, and the receipts of other years, to form a judgment as to the cauſe of the decreaſe of the Jumma, which has

ſince appeared, and paſs a deciſion, whether that amount ſhould be continued, decreaſed, or increaſed. An attention alone to the remiſſions granted, will afford them very ſatiſfactory information, by ſhewing the nature of them, and whether they have proceeded from temporary cauſes, or others which have a laſting and permanent effect; and an examination of the charges will alſo ſhew how far additions may be effected from retrenchments.

The amount of the ſettlement being thus aſcertained, the mode of it is next to be conſidered.

Three modes of ſettlement prevail in the country:

To leave the lands to the Zemindars, or to farmers, or keep them Khas.

The Committee are of opinion, that it will not be adviſable to give either of theſe modes an excluſive preference to the reſt, but adopt them ſeverally as circumſtances may require.

The mode which appears to the Committee the moſt convenient and ſecure for the Government, and the beſt for the Ryots and country, is, in general to leave the lands with the Zemindars, making the ſettlement with them; particularly in the larger Zemindarries, ſuch as Nuddea, Radſhahy, Dinagepore, &c. The conſiderations, which ought to preclude the Zemindars, are, their groſs miſmanagement, oppreſſions, or incapacity.

Where women or minors are Zemindars, the Committee think ſome method ſhould be adopted to prevent the confuſion ordinarily ariſing from this circumſtance, by fixing a reſponſibility upon ſome perſon to whom they can conſtantly have acceſs, and upon whom they can enforce the orders of Government. This may be effected by joining with them in the management their principal executive officer, either as Malzamin, or by making him annex his ſeal to the agreement ſigned by the Zemindar, binding himſelf to pay up the revenues Kiſt by Kiſt, as was formerly the uſage; ſo that his own private fortune being rendered reſponſible for the public revenue, it may become his intereſt to manage the affairs of the diſtrict with attention and economy, and to diſcharge punctually the amount of the monthly Kiſts: without ſuch reſponſibility, the executive officer of Government will always meet with difficulties in realizing the revenues. It is true, that all the lands may be ſold for the payment of the rents; but it would be hard to adopt ſo rigorous a meaſure when the Zemindar is known to have had no ſhare in the management, and when the deficiencies have been occaſioned by the incapacity or diſhoneſty of the executive officer.

After the amount of the ſettlement to be paid by any Zemindar has been fixed, it will only remain to call upon the Zemindar to conclude the engagement, by ſigning his

Cabooleat. If he ſhould demur when the requiſition is made to him, or make any evaſions, as it is probable will be the caſe in many inſtances, the Government ſhould loſe no time in compelling him to obey their orders, by ſending a Sezawul to take charge of his Zemindarry, or by putting it into the poſſeſſion of a Wadadar, or letting it in farm. As the aſſeſſment will be regulated with impartiality and all poſſible exactneſs, there can be no injuſtice in obviating, by a deciſive conduct, evaſions calculated to fruſtrate the orders of Government.

With reſpect to farmers, the principle upon which they may be introduced may be aſſigned as follows: ſeveral diviſions contain a number of petty Talookdars, with whom a ſettlement has been made by the Government itſelf; ſuch diviſions, and particularly ſuch parts of them as are either now immediately under the Committee, or are to be put under them, ſhould be let to farmers; as the Committee would otherwiſe be greatly embarraſſed and impeded in their general buſineſs, by being obliged to enter into the detail of a number of petty farmers and Talookdars.

As ſoon as a judgment has been formed reſpecting thoſe diſtricts or Pergunnas which are to be let to farm, advertiſements ſhould be put up, giving notice, that ſealed propoſals will be accepted for the farm of them; the Committee reſerving to themſelves the power of rejecting ſuch offers as may be deemed inadequate, or ſuch as are made by people who want knowledge or reſponſibility.

With reſpect to the period of the leaſes in general, it appears to the Committee, that to limit them to one year will be the beſt period, giving a preference at the ſettlement of the next to ſuch perſons as ſhall have paid up their rents, and making a promiſe of this on the part of Government.

One or other of the conſiderations ſpecified, will include moſt, if not all, of the diſtricts in Bengal. It may be neceſſary however to aſk, who is to make the ſettlement. It would be difficult to fix any general rule for this, which would not be liable to exceptions. The Committee ſhould execute this taſk themſelves in as many caſes as they can; in ſome perhaps it would be moſt expedient to leave the detail of this with the Collector, or the officer of Government.

Theſe are the general principles which occur to the Committee; and, as they have already given their attention, both ſeparately and collectively, to the ſeveral points from which theſe principles have been deduced, and the caſes in which they are to be applied in practice, they are ready to commence the fixing the new aſſeſſment, and the perſons who are to pay it, as ſoon as the Governor General and Supreme Council ſhall have given their orders on the plan.

EXTRACT *of a letter from the* GOVERNOR GENERAL *and* COUNCIL *to the* COMMITTEE *of* REVENUE, *dated the 30th March* 1781.

We approve of the whole of the plan which you have recommended, of a ſettlement for the enſuing Bengal year 1188, excepting that part in which it is propoſed in ſome caſes to leave the detail of the ſettlement with the Collector, or the officer of Government; of this we cannot approve in any caſe, as we conceive it to be inconſiſtent with the office of the perſon who is to have the collections of the ſettlement, upon the ſettlement formed, that he ſhould have any concern in the formation of it: we therefore direct, that for ſuch Mhals as cannot be immediately ſettled by you with the Zemindars, or perſons deputed by them, perſons be expreſsly deputed from the proper offices to form the ſettlements upon the ſpot; and that theſe be alſo made, and finally confirmed, by yourſelves.

Although we approve of the general principles on which you propoſe to regulate your conduct in the formation of the ſettlement; yet, as it is our deſire to remove every interference and embarraſſment from the preſent ſyſtem of controul, render it uniform, and afford every relief and eaſe both to the Ryots and to the Zemindars, which may be conſiſtent with it, and conformable to the ancient conſtitution of the country; we recommend it to you to give all due encouragement to ſuch applications as you ſhall receive from the Zemindars, for the payment of their rents immediately to the Khalſa, for the reſtoration of their ancient juriſdiction, and the conſequent abolition of that of the Foujedarry, and for the ſettlement of a fixed revenue during the lives of the actual incumbents: in theſe points we are deſirous to afford every indulgence to the Zemindars; but ſhall expect in return an increaſe of their revenue, bearing ſome proportion to the advantages which the Zemindars will themſelves derive in point of revenue from them. We think it ſufficient thus briefly to ſuggeſt this deviation from your general plan, leaving it to your judgment and diſcretion to apply it.

We recommend it to you to uſe the utmoſt expedition in concluding the ſettlement, tranſmitting the Amilnamahs as uſual to us.

PLAN *for the inſtitution of a* BAZEE ZEMIN DUFTER, *propoſed by the acting* PRESIDENT *of the* CALCUTTA COMMITTEE *of* REVENUE; *approved and recorded on the* PROCEEDINGS *of the* GOVERNOR GENERAL *and* COUNCIL *in the* REVENUE DEPARTMENT, *on 31ſt May* 1782.

I have for ſome time paſt, directed my attention to an object, which ſeems in a peculiar manner to merit the obſervation of Government. I mean lands held under the general denomination of Bazee Zemin, or lands exempt from the payment of revenues.

That ſuch lands exiſt to a very conſiderable degree is well known: partial attempts have been made at different periods to aſcertain the extent and annual amount of the Bazee Zemin lands, but no general regiſter has yet been formed of them, and the records of former inveſtigations are either loſt, or diſperſed, or ſuch as exiſt are too inaccurate to be relied upon.

The want of a general and correct regiſter has given riſe to evils, equally prejudicial to the rights of Government, and fatal to thoſe of individuals.

The evils under the former head may be compriſed under the general idea of the loſs ſuſtained by Government, in its revenues, in conſequence of the alienation of lands without authority. To reſtrain this practice, the inconveniencies of which were early foreſeen, the Zemindars and farmers in the Bengal year 1179 or April 1772, were bound by an expreſs Clauſe inſerted in their leaſes, not to confer any grants of land without the knowledge and ſanction of Government.

The Zemindars and others have nevertheleſs continued to violate this ſtipulation with impunity. As no records of alienated lands exiſt, to detect the practice was difficult; and the ſame cauſe has operated to render the extent of theſe alienations unknown; all we can conclude with certainty is, that they have been annually increaſed.

That this practice affects the revenues of the Government is evident,

Firſt, by the actual alienation of the rents of lands included in the general rental; and ſecondly, by leſſening the value of the revenue lands. This is effected by withdrawing the Ryots from the revenue lands, and inducing them to ſettle on the Bazee Zemin, which the proprietors can afford to rent to them on eaſier terms, than a farmer or Zemindar who pays an aſſeſſment for the lands held by him. The conſequences of this practice, if no reſtraint be impoſed, will annually become more important. To this it has been owing, that the aſſets of a diſtrict, on forming the Huſtabood of it, have been found unequal to the revenue demanded by the Government.

Excluſive of grants made by Zemindars, others upon inquiry will be found to exiſt, derived from the authority of the Chiefs of Provinces, Collectors of the Revenues, Dewans, Aumils or others.

On the other hand the proprietors and poſſeſſors of rent free lands, have acquired by uſurpations on the rights of Government or individuals, conſiderable additions to the quantity originally held by them, ſo as in ſeveral inſtances to have doubled the property founded on juſt titles.

Large tracts of land throughout the provinces are poſſeſſed by individuals, in virtue of Sunnuds, Uitumghaws, Firmauns, Perwannahs, or other grants from the emperors of Hindoſtan or the Nazims of this country. It is probable, that amongſt theſe grants,

many will be found, to confer property for time, as during the life of the incumbent; or on conditional tenures; and that the property poſſeſſed would after a certain period become lapſed and revert to the Government, either as the conſequence of the original conditions, or in default of legal heirs. The Government however has derived no advantage from this ſource, and can never expect to reap any benefit from it, whilſt they want a regiſter of Bazee Zemin and are ignorant of the titles by which it is held. Any alien may ſucceed to the property of rent-free land without being detected.

In the above detail, ſome of the evils pointed out, affect individuals, who poſſeſs Bazee Zemin by juſt titles. Their rights are in other reſpects liable to invaſion. Their property is attacked by Zemindars, farmers and the officers of Government; the produce of their lands is ſometimes reſumed; at others they are forced into compenſations where the original titles have accidentally been loſt: this opens a wide field for abuſe, and invaſion of property; an application for a new title is attended with difficulty; an inquiry muſt take place, the event of which is doubtful; and the title deeds, after all, are ſeldom procured without much trouble, and ſome expence. Continual encroachments are made upon their property; and where no title deeds exiſt to define the limits of it, theſe encroachments can with difficulty be prevented or detected.

To preſerve the rights of Government, to recover the property which has been loſt by an invaſion of them, and to eſtabliſh thoſe of individuals, are objects which merit public attention, and are the points, to which I have been led, by a conſideration of this ſubject.

It appears to me that thoſe objects can by no other means be accompliſhed, than, by forming a regiſter of all the Bazee Zemin lands, and aſcertaining the titles under which they exiſt. In commencing inveſtigations of this nature, it will be neceſſary not only to define the limits of retroſpection, but to eſtabliſh in the outſet, certain principles by which the inquiry muſt be regulated, and the rights of the publick and individuals determined.

1ſt. The period, from which the inquiry ſhould take place into the titles by which the Bazee Zemin is held, may with propriety, I think, be fixed to the Company's acceſſion to the Dewannee, or to the date of that grant the 12th Auguſt 1765.

As the Company did not at that time think proper to ſet on foot any inveſtigation into the titles of thoſe who poſſeſſed lands rent-free, but authorized the free enjoyment of them, an inquiry at this time would be invidious and excite diſſatisfaction. I therefore am of opinion, that whatever Bazee Zemin exiſted antecedent to that period, ſhould be continued to the proprietors or poſſeſſors, whether they can or cannot produce title deeds in ſupport of their right to it.

2dly. That as the Governor and Council of Bengal only have the authority to alienate lands from the Jumma; all grants made by any other perſons whatever without

their authority, and which have not been subsequently confirmed by their sanction, would be deemed invalid.

A rigorous execution of this clause will probably cause some dissatisfaction: that the principle upon which it is founded is just, that it may be supported by fair and convincing argument, I have not a doubt, for which reasons I propose it as a general rule. Nevertheless, the severity of it in practice will require some mitigation, as I do not think it should be strictly applied according to the letter of it to every case. Many Europeans, as well as natives, have acquired by purchase, or gift, from the Zemindars and officers of Government, small portions of lands, either for the purposes of building habitations, establishing manufactories or other purposes, the resumption of which would be of little use or benefit to the Government. Claims founded on such principles may be held open to consideration. The object of the Regulation is to guard against collusion, fraud and usurpation.

Such being the general principles and outlines for the conduct of this investigation and those by which a decision upon the rights of individuals is to be determined, the mode of carrying on this investigation is next to be considered.

Almost every Zemindar in the country possesses lands distinct from the Jumma, under the various denominations of, Birt, Bermootter, Khanabarry, Knomar, Nuez Joote, Ayma, Mudud Maush &c. To conceal those lands from the knowledge of Government is an object which constantly engrosses all their care and attention. Every attempt to acquire any information relating to them excites jealousy and clamour, and a notification, that the Government entertained such intentions, would instantly alarm their suspicions, and every artifice would be put in practice to obviate an inquiry and render it fruitless. The officers of Government from a variety of motives would join in the opposition, and unite with the Zemindars to oppose the execution of such a measure.

The plan of investigation must therefore I conceive be modified to circumstances; the progress of it should be gradual, and every precaution employed to prevent false and ill founded alarms. The following is the plan proposed.

1*st* That an office under the name of Bazee Zemin Dufter be established, under the Committee of Revenue at Calcutta.

2*d*. That a Company's servant (with a sufficient establishment) be appointed Superintendent of this office.

3*d*. That it be the duty of the Superintendent to collect accurate accounts of all the Bazee Zemin lands in Bengal, and form a register thereof.

4*th* That to enable him to do this, letters be written to all the Chiefs of Provinces, and Collectors of the Revenue, directing them to compile from the English, Persian, and

Bengal records in their poſſeſſion, an account of all lands held rent-free, ſpecifying as far as the accounts and records furniſh information, the annual amount of ſuch lands in land or money, the perſon by whom they were granted, his office, the period at which the grant was made, and the names of the proprietor and poſſeſſor.

5th. That in like manner the Preparer of reports, and Dewan of the Committee, and Canoongoes of the Khalſa, be directed to furniſh the ſame accounts from the records in their poſſeſſion.

6th. That the Aſſiſtant for the collections of the Twenty-four Pergunnas be alſo directed to furniſh the accounts of the Pettitabad lands.

7th. That the following advertiſement be iſſued at the Khalſa and in the Pergunnas mentioned below.

NOTICE is hereby given to all perſons poſſeſſing Lakheraj or Guire Jummai land in the Twenty-four Pergunnas, Burdwan, Beerbeom, Biſſenpoor, Patchete, Midnapoor, Jaliſore, Coſſijurah and in all the Pergunnas forming the diviſion under the late Provincial Council at Houghly, that an office is eſtabliſhed at the Khalſa under the ſuperintendence of for regiſtering the grants and Sunnuds under which they hold their lands. That all perſons therefore, who hold lands under the denomination of Guire Jummai or Lakheraj, are ordered to produce their original titles for the ſame, by the end of Sawun next, whether Jaugheir, Fermauns, Altumghaws, Perwannahs, Sunnuds, bills of ſale deeds of gift, or Pottahs from Zemindars, Aumils, Dewans, or others: that in caſe any perſons in diſobedience of this order ſhould refuſe or neglect to produce their titles by the date ſpecified, they will not be admitted or received afterwards, but the lands held by them will be reſumed and confiſcated.

And whereas ſeveral perſons poſſeſſing land under the denomination of Lakheraj and Guire Jummai may, from fire or other accidents, have loſt their title deeds, ſuch perſons are required to give in an account of the lands held by them by the above date, ſpecifying the date of poſſeſſion, and their proofs that the land has been poſſeſſed by them, when they ſhall on juſt grounds be furniſhed with new titles, under penalty of confiſcation ſhould they diſobey this order.

It will be remarked that the notice is partial, the reaſon of limiting it to certain diſtricts appears in the obſervations preliminary to the plan. The accounts of the Bazee Zemin in the Pergunnahs ſpecified having been obtained and recorded agreeable to certain rules hereafter laid down, I would propoſe, that the Superintendent of the office ſhould adjourn to Moorſhedabad, for the purpoſe of collecting the ſame materials there, of all ſuch Pergunnahs as formed the diviſion under the controul of the Council at that ſubordinate. That previous to his departure for that place, a notice ſimilar to that recited be publiſhed at Moorſhedabad and its dependent diſtricts.

That in like manner he do proceed from thence to Dinagepoor in order to collect the ſame materials for the regiſter of the rent free lands in that diſtrict, Rajemehal, Rungpoor, Purneah, Goraghaut, and Silburrus.

That finally he do proceed to Dacca, to form a regiſter of the rent-free lands of that diſtrict, Sylhet, Chittagong, and Tipperah, and Amberabad.

This mode of collecting the accounts by an itinerant plan, appears to have advantages over that of obliging all perſons to attend at a fixed ſtation. Any alarms that may ariſe from a miſapprehenſion of the intention of Government will be fewer, and a greater convenience will be afforded by it to the proprietors of lands to produce their titles. For digeſting theſe materials in a proper form, the following rules are propoſed.

1ſt. That the Superintendent do compile his regiſter in the following manner.

That it ſpecify the nature of the grant, whether Jaighier, Altumghaw, Fermaun, Sunnud, Perwannah, deed of gift or bill of ſale; the nature of the land whether Bermutter, Muddud Maufh &c. the date of the grant; by whom granted: the official character of the granter; the name of the grantee: the time when poſſeſſion was acquired: the period for which the grant was made: the name of the preſent poſſeſſor: his or her affinity to the original grantee; the annual amount of the grant in land or money; and the ſituation thereof.

2d. That where accounts of land are delivered by the poſſeſſors thereof, the title deeds of which have been loſt, the Superintendent do require of the perſons delivering them in, proofs of poſſeſſion, and at what time it was firſt acquired, with information on the particulars ſpecified in the preceding article, as far as it can be obtained.

3d. That the Superintendent do report to the Committee monthly his progreſs in the execution of the duties of his office.

4th. That as ſoon as the regiſter is complete, or as ſoon as may be, the Superintendent do by local inveſtigations aſcertain if the lands correſpond with the quantities ſpecified in the grant. That for this purpoſe he be allowed to make occaſional deputations of Aumeens, controuling and reviſing their reports by inquiries on the ſpot made by himſelf.

It remains to particularize the rules for deciding upon the titles to the Bazee Zemin land, for which purpoſe the following are propoſed.

1ſt. That all grants of land previous to the date of the grant of the Dewannee to the Company be deemed valid.

2d. That all grants of land ſubſequent to that period, under the general denomination of Lakhiraj or Guire Jummai, be declared invalid, excepting ſuch as have been con-

firmed by the late President and Council or by the Honorable the Governor General and Council, or such as they may hereafter think proper to confirm.

3d. That poſſeſſion antecedent to the 12th Auguſt 1765 be admitted of equal validity with any grant or title deed.

4th. That all transfers of property in rent-free land, whether by purchaſe or ſale, deed of gift or bequeſt, ſubſequent to the 12th Auguſt 1765, be admitted valid, provided the grants of ſuch lands exiſted antecedent to the 12th Auguſt 1765, or that poſſeſſion of them before that period can be proved.

5th. That as an exception to the 1ſt rule, no grants antecedent to the 12th Auguſt 1765 be admitted as valid, where the poſſeſſor of the grant did not actually acquire and hold poſſeſſion of the land for the term of one year at leaſt.

6th. That all claims, founded on titles or grants, to land, where poſſeſſion has been loſt, and the land has been reſumed by officers of Government, be inquired into by the Superintendent and be decided upon by the Committee of Revenue.

7th. That all diſputes regarding the property of Lakheraj land between individuals be left to the deciſion of the Judges of the Courts of Dewannee Adaulut agreeable to the public Regulations on this head.

8th. That all ſuch perſons, as poſſeſſed land antecedent to the 12th Auguſt 1765, be allowed to have new grants, on paying a fee of three per cent on receiving ſuch Sunnuds or grants if under 100 Rupees annual rent, and of one per cent if exceeding that amount.

9th. That the Superintendent do prepare the drafts of ſuch grants; and, having atteſted them, he is to deliver them in to the Committee of Revenue for approbation.

10th. That from the date of a notice to be publiſhed immediately no perſon be allowed to ſucceed to the proprietorſhip of land under the denomination of Lakheraj without the knowledge of Government; that perſons having claims to ſucceſſion are to prefer them to the Superintendent of this office.

11th. That all lands, which ſhall be reſumed, be kept apart, under the management of the Superintendent for the preſent, till it be determined in what manner they ſhall be diſpoſed of.

12th. That in caſes where any perſons have ſucceeded to the proprietorſhip of rent-free land ſince the Company's acceſſion to the Dewannee, an inquiry take place whether they are of any or what affinity to the original proprietor, or former poſſeſſor; and that where no ſuch affinity exiſts, and rights of poſſeſſion according to the rules here pointed out cannot be proved, ſuch lands be reſumed.

13th. That the Superintendent is not in any case to decide upon the property of the land, or the validity of the titles, but to make his report to the Committee by whom the decision is to be made.

14th. That the Committee of Revenue be not allowed to make any variation or alteration in these Regulations after the approbation or decision of the Honorable the Governor General and Council upon them, without the express sanction of the Honorable the Governor General and Council.

Such are the general Regulations which occur to me as the most material in establishing this office, and as necessary to the attainment of the ends proposed by it.

In the course of the inquiry, other considerations may suggest themselves, and it will be the duty of the Superintendent to report such observations as occur to him in the progress of his business.

The execution of the duties of this office will require abilities, honesty, labour, and assiduity, and the whole must in great measure depend upon the Superintendent himself. His establishment need not I imagine be large, and I think the following at first will be sufficient.

An Assistant;
One Writer;
One Persian Moonshee;
One ditto Mohrir;
One Bengal Moonshee;
An House for an Office.

With respect to his salary, I would propose a monthly allowance to be fixed; and that he be also allowed a fee on all Sunnuds registered; viz one per cent, on all Sunnuds the amount of which exceeds 100 Rupees per annum; and two per cent on all Sunnuds the annual amount of which is less than 100 Rupees.

That, as further encouragement to him, he be allowed a per centage of twenty Rupees on the amount of all resumptions actually brought to the account of Government.

These Regulations extend only to the provinces of Bengal and Orissa. With respect to Behar it does not occur to me that a separate office is absolutely necessary there, as we have a register of all grants in that province, formed with great apparent accuracy; this point may hereafter be determined by the Honorable Board upon a further conviction of the necessity of it.

I have only to propose to the Committee, that they will forward these remarks to the Honorable the Governor General and Council, with whom it rests to decide upon the eligibility of confirming the plan proposed.

PLAN *for reviving and re-establishing the office of* MAZOOLEE DUFTER *proposed by the* COMMITTEE *of* REVENUE *and approved by the* GOVERNOR GENERAL *in* COUNCIL *on 9th August* 1782.

THE Committee obſerving the ſeveral unadjuſted accounts of farmers, Sezawuls, Malzamins, and other officers of the collections, which, as well with Government, as with the reſpective Zemindars and landholders, remain ſtill for inquiry, and the many other ſimilar ones that muſt from time to time render ſimilar adjuſtments neceſſary, are of opinion, that, for the more effectual, regular and ſpeedy ſettlement of all ſuch claims, it is neceſſary to re-eſtabliſh on its ancient footing, as near as may be, that office of the Khalſa known by the name of the Mazooly Dufter, which although become of late years in a great meaſure obſolete as an office of the Khalſa, from its functions having been ſeparated and ſubdivided into as many partitions as there were Provincial Councils and Collectorſhips, yet now that ſo large a portion of the Revenues are collected (as heretofore under the native government) immediately at the Khalſa, the neceſſity of reviving and re-eſtabliſhing it as one of the principal offices of the Khalſa muſt appear evident from a bare reference to its functions, which under the native government were, as already noticed, to bring to an adjuſtment all diſputed accounts which might exiſt relative to matters of revenue between Government and its officers in the collections, and alſo between all landholders and thoſe who under the different denominations of Aumils, Sezawuls, Tehſildars, or ſecurities &c. have been officially in the management of their lands, and may ſtand accuſed of undue exactions or embezzlements, to which the Committee now propoſe to add to this office the additional duty of taking cognizance in the firſt inſtance of, and aſcertaining and ſubmitting, to the Committee, the means of recovery of all outſtanding balances which they may think fit to refer to it, and of which it is impracticable for them in their joint capacity to take ſuch minute cognizance as they may be enabled to beſtow through the agency of this department.

Having thus taken notice of the general nature of the ancient Mazooly Dufter which they think it neceſſary now to revive with the additional duty abovementioned annexed to it; the Committee are further of opinion that the following Regulations ſhould be made for that purpoſe.

1ſt. That the eſtabliſhment of native officers to this office, be

One Paiſhkar,
One Naib ditto,
One Perſian Heſabnovees,
One Bengal ditto,
One Perſian Mooniſhee,
One Bengal ditto,
One Jemmadar and 6 Peons.

2*d*. That in the execution of the duties of the office, they be, as far as ſhall depend on them, guided as the ancient rules and Regulations obſerved in it in former times, under the native government.

3*d*. That as the functions of this office will for the moſt part partake and be of a judicial nature, there be appointed for the ſuperintendence and controul of the ſaid Mazooly Duſter, and of the native officers therein employed, and for the more effectual diſcharge of the duties of this department, a covenanted ſervant of the Company, who ſhall be well verſed in the nature of the revenue buſineſs of the country, and ſhall be ſworn to execute the truſt committed to him, with fidelity, and without deriving from it any other emolument than what may be allowed to him by Government.

4*th*. That it be the duty of this Superintendent of the Mazooly Duſter to cauſe the native officers aforementioned to proceed with diligence and attention in every inquiry which the Committee ſhall, through him, refer to their inveſtigation, to obſerve, ſuperintend, and expedite their progreſs, and to take care that in every circumſtance of their adjuſtment they proceed and be guided by the Regulations which were obſerved in the former office, or, where they may not appear to apply, or cannot clearly be traced, then by the general Raje-ul-mulk, or common law or uſage of the country, as obſerved and practiſed in matters relating to the Revenue.

5*th*. That when the accounts ſhall in each ſeparate caſe have been thus adjuſted, the Superintendent do report to the Committee the proceedings held reſpecting it, and at the ſame time deliver to them an Engliſh abſtract of the accounts ſo adjuſted, noticing in order, as they ſhall occur, each ſeparate objection preferred during the inveſtigation by either of the parties to any part of the proceedings of himſelf or of the native officers, with his, or their reaſons ſubjoined, for over-ruling them, in ſuch manner as that the Committee may, on due conſideration thereof, either confirm the adjuſtment, or cauſe ſuch alteration to be made therein as may appear to them proper.

6*th*. That, ſhould any part of the rules, uſages and Regulations by which all ſuch adjuſtments are in the 2d and 4th articles directed to be regulated, appear in their application to any particular caſe, to become in the opinion of the Superintendent, of the nature of a hardſhip to any of the parties, he is nevertheleſs to cauſe ſuch rule, uſage or Regulation (the exiſtence thereof being once duly aſcertained) to be invariably followed and adhered to by the native officers, but in his final report of the cauſe to the Committee, he is to notice all ſuch caſes, and, ſtating wherein the hardſhip to him may ſeem to be, to wait the Committee's deciſion on all ſuch articles.

7*th*. That the Committee will take into conſideration and adopt ſuch further Regulations as may be neceſſary for this office, in reſpect to the mode of taking cognizance of old balances, the preceding ones relating only to its former or ancient functions.

8*th*. That in conſideration of the degree of truſt to be repoſed in the native officers, their allowances be as follows:

Paiſhkar, - - - - - - - -		300
Naib ditto, - - - - - - -		150
Perſian and Bengal Noveeſes, 2 at 60	}	120
Perſian and Bengal Moonſhees, 2 at 30,	}	60
Jemmadar and 6 Peons, - - -		36
Contingencies. - - - - - -		20
		686

9*th*. That the Superintendent of this office have the ſame allowances in every reſpect as the Superintendent of the Zemindary Dufter.

EXTRACT *of a letter to the* COMMITTEE *of* REVENUE *dated 6th. May* 1784.

We direct that it be made a general rule, that, for every payment of revenue made either by the Ryots to the Zemindars or other landholders, or from the latter to Government, regular receipts be punctually granted by thoſe who reſpectively receive the revenue together with one general receipt at the end of each year.

PLAN *for the Settlement of* BENGAL *for* 1191, *propoſed in a letter from the* COMMITTEE *of* REVENUE *dated* 12*th April* 1784.

The ſettlement of many of the diſtricts dependant on the Khalſa, as well as of thoſe in charge of the ſeveral Chiefs and Collectors, expiring with the preſent Bengal year 1190, we think it will prove of eſſential ſervice to the collections of the enſuing year to conclude the ſeveral engagements for the payment of the revenue as early in the ſeaſon as poſſible, that every opportunity may be afforded to the renters to commence the cultivation and improvement of the lands.

We are of opinion that it is moſt for the advantage of Government, as well as being moſt conducive to the peace and good order of the diſtricts, to conclude the ſettlement of the revenue with the Zemindars in all inſtances where no immediate cauſes exiſt to render them ineligible. The cauſes which occur to us as ſufficient to exclude Zemindars from the charge of their diſtricts, conſiſt in an acknowledged incapacity, their being females or minors, and in inſtances where they are involved in private debts, and under the influence of creditors.

Where the Zemindars are either females or minors, we propoſe to conclude the ſettlement in the name of the Zemindar, but to veſt in a Dewan or the moſt reſponſible and creditable of the Zemindar's relations the ſole charge and authority, and to hold ſuch manager under ſtrict obligations in his perſon and property to a juſt diſcharge of the truſt repoſed in him by Government as well as by his principal.

In inſtances of known incapacity of the Zemindar to manage the revenue of his diſtrict with ſafety to Government, we propoſe to adopt nearly the ſame mode as with females or minors; but with every precaution which we can deviſe to prevent interruptions to the manager from the Zemindar who may be influenced to ſuch conduct by intereſted members of his family.

In inſtances where Zemindars are involved in private debts, it is neceſſary to prevent the creditors from obtaining any charge in the collection of the revenue, or the Zemindar from applying any part to the liquidation of his debts in preference to the ſtated Kiſts.

The late order of the Honorable Court of Directors, limiting the period of leaſes to one year only, will be attended to in all inſtances by us, under the explanation annexed to it by your Honorable Board of continuing the Zemindar in the leaſe of his diſtrict from year to year as long as he pays the revenue with regularity and otherwiſe conducts himſelf to the ſatisfaction of Government; and we propoſe to inſert ſuch clauſe in the body of the Amilnamahs.

In inſtances where we have been obliged to employ farmers, we propoſe to continue thoſe who have paid their revenue with regularity and without complaints from the inhabitants: the cauſes, which induced us to accept propoſals from farmers for particular diſtricts, generally continue to operate; the inſtances are few and we will not increaſe them without an abſolute neceſſity.

Extract *of Proceedings of the* Governor General *in* Council *in the* Revenue Department, *27th May* 1784.

Reſolved, that the Board approve of the general mode propoſed by the Committee of Revenue with the reſtrictions and under the limitations they themſelves mention; namely, "that they give the preference to the Zemindars in all inſtances where no immediate cauſes exiſt to render them ineligible; that in inſtances of known incapacity of the Zemindar to manage the revenue of his diſtrict with ſafety to Government they adopt, as they propoſe, nearly the ſame mode as with females or minors, which is "to conclude the ſettlement in the name of the Zemindar, but to veſt in a Dewan or the moſt reſponſible and creditable of the Zemindar's relations the ſole charge and authority, and to hold ſuch manager under ſtrict obligations in his perſon and property to a juſt diſcharge of the truſt repoſed

in him by Government as well as by his principal," and that the late order of the Honorable the Court of Directors limiting the period of leaſes to one year only, be, as they ſay, attended to in all inſtances under the explanation given of it by the Board on the 30th September 1783 " of continuing the Zemindar in the leaſe of his diſtrict from year to year, ſo long as he pays the revenue with regularity, and otherwiſe conducts himſelf to the ſatisfaction of Government," and that this clauſe be inſerted in the body of the Aumulnamahs."

PLAN *for the Inſtitution of an Office for the* REGISTRY *of* ALIENATED LANDS *in* BEHAR *approved by the* GOVERNOR GENERAL *and* COUNCIL, *on 29th June* 1784.

Letter from the Governor General and Council to the Committee of Revenue, dated 29th June 1784.

Having reſumed the conſideration of the letter, which was ſubmitted to us by you on the 5th February laſt, from Mr. SHORE, on the ſubject of the Jaghier and other free lands in the Province of Behar; and being of opinion, that the inſtitution of the office, he therein propoſes, of a regiſtry for the alienated lands in Behar, ſhould be no longer delayed, we approve of its taking place, agreeable to the plan laid down by him, and have appointed Mr. WILLIAM BUSHBY to the charge and ſuperintendency of this office, you will therefore furniſh him with the neceſſary inſtructions accordingly, and direct him to proceed to Patna without loſs of time to execute the duties of his ſtation. We deſire you will prepare, and ſubmit for our approbation, the ſalary and eſtabliſhment which you may deem neceſſary to be allowed the Superintendent of this new office.

Letter from Mr. SHORE *to the Committee of Revenue, dated 29th January* 1784.

The Honorable the Governor General in Council having directed me to make my report on the plan of inveſtigation propoſed for the alienated lands in the Soubah Bayhar; I have now the honor to lay before you the information I have been able to collect upon this ſubject.

In the year 1773 an inveſtigation of the ſeveral titles under which the Jaghiers, Altumghas, and Muddud Mauſh were held, was made by Mr. GEORGE VANSITTART, and the records of this inquiry are depoſited with the Supreme Council, and in the public office of this province. Excluſive of the lands particularized in Mr. VANSITTART's regiſter, it appears that alienated lands under the denomination Ayma &c. are alſo held to a very conſiderable amount. for your more particular information, I ſend

the accounts of the whole, as collected from the records of this place, the abſtract of them is as follows.

	Rs.	As.	Ps.
J gheers, annual produce, - - - - - - -	5,20,596	2	5
Altumghaa, ditto, - - - - - - - - -	3,84,514	—	10
Muddud Mauſh, ditto, - - - - - - - - -	50,074	8	5
Ayma &c. ditto, - - - - - - - - -	4,13,602	8	5
Total Rupees	13,98,786	11	8

The produce of the land in Rupees is ſtated according to the Gozauſht, or amount deducted from the rents of Government when the lands were given up to the proprietors.

The amount of the alienated lands ſpecified in Mr VANSITTART's regiſter is 8,62,643 13 3, and the difference between his and the preſent account ariſes from the addition of the Ayma lands, and grants made by the Honorable the Governor General and Council, ſubſequent to the date of Mr. VANSITTART's inveſtigation.

The tenures under which theſe lands are held, are various: that the whole ſubject may be brought before the Honorable Board in one view, I have taken the liberty to annex an explanation of the different terms uſed in the accounts, with ſuch remarks as I have been able to collect, reſpecting the nature of the tenures themſelves.

Jagheer.

A grant from the crown or ſovereign power conferred generally as a favor, or in reward for ſervices.

Jagheers are either Muſhroot, or Guire Muſhroot; that is, conditional, or unconditional; the grant of the former ſpecifies certain ſervices to be performed by the perſon upon whom it is conferred, and Jagheers of this nature were uſually given to officers of Government, and held by them whilſt in office, but reſumed upon their diſmiſſion or removal.

An unconditional Jagheer does not ſpecify any ſervices to be performed. In Behar the Jagheers are principally, if not univerſally, of this form.

The official rules, by which theſe grants were conferred, according to the ordination of the empire, were as follows:

The grant was made under the ſeal and ſignature of the Vizier, for a certain number of Daams; and the names of the Pergunnas, and amount receivable from each, was particularized on the back of the grant.

The Dewan of the province, on the part of the King, gave a Sunnud Mutabuk or grant, correſponding with that of the Vizier. In this was ſpecified the number and

names of the villages appropriated for the diſcharge of the ſeveral quotas of rent receivable from each Pergunna.

The Nazim or viceroy of the province then iſſued a Perwannah Gozauſht, or order for delivering up to the propriſtor the land, as particularized in the Motabuk Sunnud of the Dewan.

Jagheers are neither alienable nor hereditary, but on demiſe of the proprietor revert to the Crown or Government. It is for this reaſon I am informed, that they are conferred under the authority of the Vizier and not under the royal ſeal.

Altumgha.

Is a grant under the royal ſeal, conveying the property conferred by it, to the original proprietor and his heirs in perpetuity, and devolving to Government only in default of heirs. It may alſo be forfeited by delinquency.

A Huſb-ul-Hookum, or grant correſponding with that under the royal ſeal, was iſſued by the Vizier, another by the Dewan of the province, and a Perwannah or order of releaſe by the Nazim as in the caſe of Jagheers.

Muddud-Mauſh.

Is held alſo by grant under the royal ſeal, ſimilar in all material reſpects to the Altumgha grant.

Of late years the property of the Altumgha and Mudud-Mauſh lands has been deemed transferable; but in the year 1773 one inſtance only occurred, in the courſe of the inveſtigation made by Mr. VANSITTART, of a transfer having taken place in the property of theſe lands; ſince that period the practiſe of mortgaging or ſelling them has prevailed.

It does not appear, that the Government formerly exerted either the right or power of reſuming theſe lands, except in caſes of delinquency: ſome of the grants expreſs that the land has been conferred on the diſmiſſion of the former proprietor, but no concluſion can be drawn from theſe inſtances, which are very few, to the prejudice of the rights of the proprietors; unleſs the cauſe of diſmiſſion could be aſcertained, which the loſs of former records renders impracticable. The Nabob Mahommed Reza Khawn made ſeveral reſumptions in the year 1766, after the Dewannee was granted to the Company: but I can trace no precedents antecedent to that period.

Ayma.

Land originally granted by the King for the ſubſiſtence of perſons in neceſſitous circumſtances; but the rich and powerful, finding the advantages of the tenure, latterly obtained theſe lands by favour or influence, under fictitious names.

Exclusive of the above, which are derived immediately from the Crown, alienated lands exiſt in Behar to a very conſiderable amount under the following denominations.

Nuzzer Dergah.

Land given as an endowment to places of religious worſhip of the Muhamedans; the produce of which is ſuppoſed to be applied to the expenſes of the eſtabliſhment; ſuch as the ſubſiſtence of the attendants, illuminations, repairs, &c.

Kharidge Jumma.

Land ſeparated from the revenues and ſold by the Zemindars. Theſe grants, in ſome inſtances, have received the confirmation of the Nazim, or Collector for the time being; but the tenure in general derives its confirmation from length of time.

Maafee.

A remiſſion of the rents of land payable to Government by the Collector, Nazim, or Zemindar.

Serſhikun.

This term is peculiar to Behar and implies breaking the capital; it is applied to land granted in charity by the Zemindars, Chowdries, and Canongoes; and the revenue of the land ſo given up, to prevent any loſs to Government or the Zemindar, was for the firſt year only levied by a tax from the Ryots of the village where the land was ſituated. But the loſs ariſing from this donation muſt ultimately, as is evident, fall upon the Government itſelf.

Kyraat.

Land given in charity by the Aumil, Zemindar, or Nazim.

Nankar.

Land given to the Zemindars, Chowdries or Talookdars by the Aumils or Nazim. It was originally underſtood to be granted as a ſubſiſtence in reward for ſervice, as the word implies.

Enam.

Land given by the Zemindars or Aumils as a favor.

It may be remarked in general, that the property held under theſe ſeveral denominations is by practiſe transferable, with an exception only of that under the term Nuzzer Dergah.

In comparing the account now tranſmitted you, with that compiled by Mr. VANSITTART, the preſent proprietors, with little variation, appear to be the ſame perſons who held lands at that period: it has been generally underſtood, that all further grants were from that time prohibited; and none ſubſequently made are deemed authentic, ſuch only excepted, as have derived their confirmation from the Governor General and Council, or in particular caſes from the head Provincial authority.

Whether any and what abuſes have taken place in theſe grants to the prejudice of Government, it is not in my power to determine, as the neceſſary information could not be effected without a minute inquiry totally incompatible with my other occupations. The abuſes however to which the Government is liable are many, and I am of opinion that the eſtabliſhment of a regular office of regiſtry for the alienated lands in Behar, both for the purpoſes of aſcertaining any abuſes, that may have crept in, and for preventing

them in future, may with propriety take place. All the objects of such an office were performed by the Council of Patna formerly, as their authority extended all over Behar; but since the division of the provinces, each Collector has a separate authority within the limits of his own collectorship

The duties of this office will be comprized under the following heads:

To form an exact register of the alienated lands in the province of Behar.

To call upon all persons in possession of Altumghas, Jagheers and Mudud Maush, and require them to produce the respective titles under which they hold them; but, that from this investigation, the following persons, whose rights are notorious and well ascertained be excepted.

The Nuwab Muhamed Reza Khawn, Rajah Cullian Sing, the heirs of the Nuwab Muhamed Eritch Khawn, Maha Rajah Rajebullub.

To identify by sufficient proofs the persons of those who hold lands under any of the above titles.

In cases where persons have succeeded to Altumghas, Jagheers or Muddud Maush, since the date of Mr VANSITTART's inquiry, to obtain from them proofs of their affinity to the deceased, and the degree of it.

In cases where the produce of the land possessed exceeds what they are by Sunnuds entitled to, to call upon the proprietors to shew, whence this difference arises.

To ascertain the quantity of land held, by actual measurement, in cases where from information the proprietors are suspected of holding more than they are entitled to; but, that this investigation do not extend to any lands which are now in the same situation with respect to limits as they were in Mr. VANSITTART's time.

To report the decease of any holder of Altumghas, Jagheers or Muddud-Maush, to the Governor General and Council, through the Committee of Revenue, and the name of the claimant to the succession. The successor in future to take a Sunnud from the new office.

Disputed successions to be regulated by the Courts of Adaulut, as by the public Regulations they now are.

By this mode of inquiry, will be ascertained whether any of the holders of rent-free lands have succeeded to them without titles; if the names of absentees, or deceased proprietors, are continued: if lands are held by any persons who do not, or have not resided in these provinces for a number of years: if any ground has been possessed beyond the quantity to which the proprietor is entitled by his grant, and lastly, if the Sunnuds are defective, or land held as Altumgha, under a Jagheer Sunnud.

With reſpect to the lands under the other denominations, I am of opinion, that the inveſtigation ſhould not be minute. In the account now laid before you, they are comprized under general heads, according to the ſeveral Sircars, which conſtitute the province; but, of theſe the number of proprietors are many thouſands: an inquiry into whoſe rights would be vexatious and repugnant to the prejudices of the people, and in itſelf of little advantage; I would therefore propoſe, that all lands, the annual produce of which is leſs than 200 Rupees, ſhould be exempted from an inquiry.

I do not at preſent propoſe any rules regarding the reſumption of theſe lands, as the inquiry when completed will ſuggeſt them more effectually, than they at preſent occur. It is probable alſo, that many circumſtances will ariſe in the progreſs of the inveſtigation, that cannot be traced without it, and which will prove to the advantage of Government.

With reſpect to the expenſes of the office, I imagine that the ſum of 400 Rupees per month will be fully ſufficient to defray them, excluſive of the allowance to the Superintendent &c.

In order to defray this expenſe, I would propoſe that a per centage be levied on all Sunnuds regulated as follows:

On Sunnuds for land above 200 Rupees and under 500 annual produce, five Rupees each.

On Sunnuds for land exceeding that and under 1000 Rupees, ten Rupees each.

On Sunnuds for land of 1000 Rupees, or above, twenty Rupees each thouſand.

This per centage will not in itſelf fall heavy upon the proprietors, and if it ſhould be found to afford a ſum inadequate to the expenſe incurred, there is every probability, that it will be amply repaid from the reſumptions of lands held without authority. I ſubmit it alſo to the conſideration of the Honorable Board, if they ſhould think proper to authoriſe the inveſtigation, if any and what proportion of the produce of lands reſumed in conſequence of it, ſhould be allowed the Superintendent as a reward for his aſſiduity in the faithful diſcharge of the duties of his office.

Letter from the Committee of Revenue to the Superintendent, dated 18th July 1784.

The Honorable Board having been pleaſed to nominate you Superintendent of an office inſtituted in Subah Behar for inveſtigating and regiſtering the Jagheer and free lands in that province; we now encloſe you a copy of Mr. SHORE's letter in regard to this office; and as it points out clearly and diſtinctly the duties to be performed, we deſire you will ſtrictly conform to the mode and forms therein mentioned, and conſider them as inſtructions for your guidance.

As it is not in our power to form an adequate judgment of the number or deſcription of ſervants for your office, we deſire you will, as ſoon as you arrive at Patna, tranſmit us an eſtabliſhment which you may deem to be abſolutely neceſſary for the due execution of the duties of it.

We have given directions to the ſeveral gentlemen in charge of the collections to furniſh you with ſuch of the records of their reſpective Cutcherries as you may find it neceſſary to refer to, and in all inſtances to afford you ſuch aid, and aſſiſtance of their ſtations, as may be in their power.

RESOLUTIONS *of the* GOVERNOR GENERAL *and* COUNCIL *for the* ABOLITION *of certain* COLLECTORSHIPS *and* ADAULUTS.

Minutes of Council in their Secret Department of Inſpection, 20th December 1784 and 27th January 1785.

In that part of the province of Behar formerly under the juriſdiction of the Council, there are at preſent five Collectors. Reſolved on the reduction of two; and that the lands on the ſouthern ſide of the river be placed under the authority of the Chief at Patna and Mr. LAW, excepting always ſuch diſtricts as the Committee may think it expedient to take under their own management; and that the diſtricts to the northward of the river be placed under one authority: viz. Mr. GRÆME's. It will remain with the Committee to ſpecify the limits of the reſpective juriſdictions of the remaining Collectors, and ſubmit them to our approbation.

The Collectorſhips of Futteh Sing and Houghly appear to the Board to be totally unneceſſary, as the vicinity of theſe diſtricts ſuggeſts the propriety of placing them immediately under the ſuperintendence of the Committee. The ſame reaſon applies to the office of Commiſſioner at Burdwan, and Collectorſhip of Pachete. The expences of the latter eſtabliſhment more than abſorb the revenues under the charge of the Collector. Reſolved therefore on the immediate abolition of all theſe offices, as well as the Reſidency at Jaleſore, the duties of which may be performed by the Committee of Revenue, and an occaſional deputation be made for the adjuſtment of any diſputes ariſing between the borderers of the two Provinces.

It is not neceſſary to continue a Collector at Rungpoor. Circumſtances may however exiſt, to render the immediate abolition of that appointment unadviſable, and it is a ſubject for the Board's future conſideration. The diſtricts now under the Collector of Silhurrus, were formerly ſuperintended by the Council of Moorſhedabad; agreed that they be now placed under the Chief of that ſtation, and that the eſtabliſhment of the Collectorſhip be withdrawn.

Agreed, that a copy of theſe reſolutions be tranſmitted to the Committee of Revenue, and

that they be ordered to carry into execution the ſeveral arrangements dependent on them. Our orders to the Committee to reduce the expences of the departments under their authority, are to be underſtood to extend to all the Collectorſhips which for the preſent are allowed to remain.

The Board are of opinion, that the number of Adauluts may be reduced without impediment or inconvenience to the adminiſtration of juſtice. From an inſpection of their ſituation, the Board agree only on the immediate abolition of three of theſe eſtabliſhments, which may be diſpenſed with, and the powers belonging to each be transferred to other juriſdictions. Thoſe alluded to are ſtationed at Rajehaut, Sultanoee, and Meiſſey in the Bahar Province. The juriſdiction of the Adaulut at Rajehaut is to be divided between the Judges of Moorſhedabad and Burdwan; that of Sultanoee between the Collector of Sylhet, and Judge of the Dacca Adaulut; and the Adaulut at Durbunga will abſorb the powers annexed to that of Meiſſey. The Foujedarry juriſdiction and eſtabliſhment appertaining to each of the Adauluts will fall of courſe.

INSTRUCTIONS *for the* SETTLEMENT *for the* BENGAL YEAR 1192.

Extract of a letter from the Governor General and Council to the Committee of Revenue, dated 6th June 1785.

We have received your letter of the 25th inſtant; and, in explanation of our former orders, and as a guide to you in making the ſettlement, require your obſervance of the following inſtructions.

1ſt. To limit in every caſe the term of the leaſes to one year.

2nd. To conclude the ſettlement immediately with the Zemindars; unleſs from any of the cauſes enumerated in your addreſs, theſe ſhall be diſqualified for the truſt: in ſuch an event, you are to ſtate the particulars of the diſqualification previouſly to us, for our orders,

EXTRACT *of* CONSULTATIONS *in the* REVENUE DEPARTMENT, *on the* SETTLEMENT *for the* BENGAL YEAR 1193.

Extract of a letter to the Committee of Revenue, dated 7th April 1786.

It is our intention to appoint Company's covenanted ſervants to the ſtations of Collectors throughout the Huzoory Mehals, as from experience we think it paſt doubt, that ſituated as you are at the Preſidency you cannot without a local agency in the ſeveral diviſions ſecure the regular realization of the revenues, while you muſt be ſtill leſs able to preſerve the Ryots, and other inferior tenants, from the oppreſſion and exactions to which they are, in this country, ſo peculiarly liable from the ſuperior landholders and renters.

You will therefore, on proceeding upon the enſuing year's ſettlement, divide out the Huzoory Mehals into Collectorſhips, in ſuch manner, that no one Collectorſhip ſhall exceed in Jumma the ſum of eight lacks of Rupees, unleſs in caſes where the diviſion

of a Zemindarry would thereby be occaſioned; and taking care, that the charge to be incurred by the number of theſe new offices do not exceed the funds ariſing from the ſaving in the article of Moſhaira, as well as that the charges of the Revenue Eſtabliſhment in general do, (including the reſerve already ordered for contingencies,) on no account, exceed the ſeventy two lacks of Rupees ordered by the Company.

The receipt of your letter of the 13th February having led us to the conſideration of the general ſubject of Provincial Dewans, we herewith encloſe a copy of our proceedings and determination thereon, to which we deſire your ſtricteſt attention.

We authorize you to proceed on the ſettlement of the Bengal year 1193, as ſoon as you think proper, adhering to the inſtructions of laſt year together with thoſe above given you.

PROCEEDINGS *of the* GOVERNOR GENERAL *and* COUNCIL *on the abolition of the office of* PROVINCIAL DEWAN.

Read the Proceedings of the Committee of Revenue compoſed of the Governor and Council, under the date the 14th May 1772:

The 7th article of the reſolutions paſſed in that Committee eſtabliſhed, that a fixed Dewan ſhall be choſen and nominated by the Board, who ſhall be joined with the Collector in the ſuperintendency of the Revenue; that he ſhall keep ſeparate accounts of the collections according to the eſtabliſhed forms of the country, counterſign all orders circulated in the Moſuſſil, all receipts granted to the farmers, and all invoices and accounts tranſmitted to the Sudder.

The expediency of this Regulation is remarked upon at the time by the Committee; and, although they doubt of its immediate efficacy as a check on the Collectors, they think, that it will be a certain means of counteracting that improper influence, which the Banyans of the Collectors are ever eager to aſſume in the management of their employ; and that it will provide againſt the loſs of rents and confuſion of accounts, which the frequent removal of the Collectors would otherwiſe unavoidably occaſion.

The Board, conſidering theſe reaſons and adverting to the great change and further experience which has neceſſarily been generally acquired in the buſineſs of the collections by the Company's ſervants during an elapſe of thirteen years, are of opinion that the attainment of the firſt of the objects which the appointment of Dewans held out, namely their operating as a check on the Collectors, is by far the principal conſideration that then could have led to ſuch an eſtabliſhment; of the acquiſition of that object the Committee then however greatly doubted, and many years experience has ſhewn it to be fallacious; nor can it be now doubted that this expedient of a native Dewan is juſt as fit to ſerve as a cloak to, as it can be to operate as a check on, any European Collector.

The next conſideration viz. the counteraction of the influence of the Collector's Banyans is of more importance: but the conſtitution of the Chief and Collectors of Revenue, and the ſolemn oaths by which they have become lately bound by an act of the legiſlature of their country may, it is hoped, when aided by other precautions, be relied on as a ſecurity againſt the undue influence of the perſons here referred to. The third and laſt object for the eſtabliſhment of Dewans, may, the Board think, be eaſily ſupplied by ſubſidiary Regulations.

On the whole the Board do not think the real utility of the ſyſtem of Provincial Dewans can, under the preſent circumſtances of this Government (when every poſſible retrenchment is called for and enjoined by the Company's orders,) compenſate it's expence, which according to the information received from the Accountant General to the Revenue Department, amounts per annum to Rupees 42,000. Agreed therefore, that the native Dewans be ſtruck off and diſallowed from every ſtation where a Revenue Chief or Collector is or ſhall be appointed; and that the ſole charge and full reſponſibility for the revenues and of the due execution of the ſaid offices of Chiefs and Collector be veſted ſolely in ſuch Chiefs and Collectors reſpectively under the following Regulations.

1*ſt*. That they be in every caſe ſtrictly prohibited from making uſe of the agency of their private ſervants whether Banyans or others in the diſcharge of any part of their public duty, the Board expecting and requiring that in all caſes they ſhall themſelves ſtand forth and act as the only empowered Agents of Government, in their ſeveral ſtations, making uſe, as they may occaſionally require, of the inferior public ſervants now allowed them.

2*d*. That the appointment and diſmiſſion of thoſe ſervants be veſted in the Chiefs and Collectors reſpectively with this proviſo, that they tranſmit regular liſts of the names of thoſe they ſhall ſo prefer to the Committee of Revenue, and give notice of all ſubſequent diſmiſſions and appointments, and employ none but ſuch public and regiſtered officers in any reſpect in their official capacity, nor on any plea or pretext confer on any ſuch public officer, or ſervant, any private or perſonal truſt in regard to his perſonal concerns or vice verſa, it being hereby declared that every ſuch double and blended appointment ſhall ſubject ſuch Chief or Collector to the loſs of his office, or to ſuch other mark of the Board's diſpleaſure as may appear adequate.

3*d*. That to provide againſt the loſs of rents and confuſion of accounts from any Chief or Collector being permitted to reſign, it be, and it is hereby made, a ſtanding rule of the ſervice, that no Chief or Collector ſhall be permitted to depart from his ſtation till either he ſhall have delivered over complete charge of his truſt to his ſucceſſor or to his Aſſiſtant, which ſhall be ſignified by letter from ſuch ſucceſſor or Aſſiſtant, before the Chief or Collector ſhall depart from his ſtation; and this Regulation ſhall on no account be diſpenſed with, unleſs by expreſs permiſſion of the Board to be ſeparately granted for any particular caſe that may require it.

4th. That the Chief or Collector ſhall tranſmit monthly, along with his Engliſh treaſury and Towjee accounts, Perſian counterparts thereof under his official ſeal and ſignature to be depoſited among the native records of the Khalſa.

5th. That the ancient conſtitutional check of the Canongoe's department, in regard to the collections, on all the officers therein employed, be now revived and placed by the Committee of Revenue in a ſtate of full and effectual operation from the commencement of the collections of the enſuing Bengal year; that for this purpoſe the two head Canongoes be themſelves made reſident in the Khalſa at the Preſidency, and that a Mohrer on each of their parts be without fail ſtationed in the collection Cutcherry of each of the Chiefs and Collectors, who are to keep daily accounts of the receipts of Revenue, and regularly to tranſmit authenticated copies thereof, under their own ſeals, and without communicating the ſame to the Collectors, to their principals at the Preſidency, whoſe duty it ſhall be to preſerve theſe ſtatements, to compare them as they arrive with the Perſian ſtatements of the ſame accounts received by the Committee from the reſpective Chiefs and Collectors, and to report any difference that may appear, and further to execute all ſuch other functions, as are properly dependant on their department.

6th. It is expected and required of the Committee of Revenue, that, more eſpecially on the firſt introduction of this ſyſtem, they be particularly attentive to the vigilance and good conduct of the Chiefs and Collectors, and to the regular tranſmiſſion of the Canongoe's monthly ſtatements, and wherever they ſhall ſee cauſe to ſuſpect any want of attention in reſpect to the ſecurity of the collections or otherwiſe, they are hereby directed to purſue without delay the moſt effectual meaſures, by deputing fit perſons, to correct ſuch evils, after having obtained the ſanction of the Board for ſuch deputation, and the approbation of the perſon recommended to be ſo employed.

PROCEEDINGS *of the* COMMITTEE *of* REVENUE *on the Settlement for* 1193, *approved by the* GOVERNOR GENERAL *and* COUNCIL *on* 25*th April* 1786.

On the ſubject of the Honorable Board's orders for a diviſion of the Huzzoory Mehals into Collectorſhips, the Committee determine on the following arrangement, as the beſt.

Agreed, that Burdwan be made a Collectorſhip.

that Beerbhoom be made ditto,

that Biſhenpoor be made ditto,

that Dinagepoor be made ditto,

that Edrackpoor and Baharbund be made ditto,

and that the Huzzoory Mehals of Midnapoor be annexed to the Collectorſhip of that diſtrict.

Agreed, further, that the diviſions of Moorſhedabad and Calcutta be ſubdivided into eleven Collectorſhips. viz.

Moorſhedabad, Rajeſhahy, Nuddea, Futteh-ſing, Mahomedſhy, Silberris &c., Luſhkerpoor, Jeſſore, Houghly, Twenty-four Pergunnas, Town of Calcutta.

Agreed, that the above be ſeverally compoſed, as far as ſituation may admit, of the Mehals detailed in a plan now laid before the Committee by the Preſident.

Agreed, that the Dacca diſtricts be parcelled out into four diviſions, the Jumma of each of which to be fixed, as nearly as poſſible, at the amount preſcribed by the Honorable Board.

Agreed, that the Committee charge themſelves with the arrangement of the Zemindarry of Nuddea, and that of the Collectorſhips of

Houghly
the Twenty-four Pergunnas } in the Calcutta diviſion.
and the Town of Calcutta

Agreed, that two Members of the Committee be ſeverally deputed into the diviſions of Moorſhedabad, Dacca and Calcutta, for the purpoſe of making the allotment of the remainder; as it is evident, from the nature of ſuch allotment, that it cannot be made with accuracy, except by a local inveſtigation.

Agreed, that the Members ſo deputed, be likewiſe empowered to make the ſettlement of theſe diſtricts reſpectively; either immediately themſelves, or, under their controul and inſpection, through the agency of the gentlemen who already are, or may hereafter be, appointed to take charge of the Collectorſhips.

REGULATIONS *for the* CONSTITUTION *of a* BOARD *of* REVENUE, *paſſed by the* GOVERNOR GENERAL *and* COUNCIL *on* 12*th June* 1786.

The Committee of Revenue having, in conſequence of the late orders from the Court of Directors under date the 21ſt September 1785, been aboliſhed, and a Board of Revenue having by the ſame authority been inſtituted in its ſtead, the Regulations, by which this new department is to be guided, become a neceſſary ſubject of conſideration; the Court of Directors have deemed it unneceſſary to enter into this detail, thinking it ſufficient merely to refer to the inſtitution of the late Committee of Revenue, upon the foundation and principles of which, they expreſsly declare their intention, that this Board ſhall be eſtabliſhed, and that the general line of their duty ſhall be the ſame; it may therefore be in general ſufficient to obſerve, that the new Board being thus expreſsly conſtituted on the foundation and principle of the late Committee, the Regulations already made for

that department, from its inſtitution to the preſent time, muſt of courſe remain in full force, liable only (as the Court of Directors ſuggeſt) to ſuch corrections, or improvements, as experience may hereafter point out, or the orders of the Company may render neceſſary. Conſidering the ſubject in the above light, the Governor General and Council are agreed on the following articles for the general Regulation of the duties of this Board.

1ſt. That to the Department of the Board of Revenue, as now eſtabliſhed, is to belong (ſubject to the orders and controul of the Governor General and Council) the whole adminiſtration, ſettlement, collection, and receipt of every branch of the public Revenue within the Provinces, together with the controul of the ſeveral officers concerned therein.

2d. That the Board of Revenue ſhall be convened, at leaſt once in every week, by ſummons, by order of the Preſident, and as much oftener as the ſtate of the buſineſs of the Department may require, and, when met, that the Members (of whom not fewer than three do conſtitute a Board) do proceed to conſider, paſs orders, and decide on all the current and ordinary buſineſs of the Revenues, keeping regular minutes of all their proceedings, and reporting ſucceſſively to the Governor General and Council as they occur, ſuch ſubjects of importance, as may require their ſanction, or eſpecial inſtructions, before any ultimate reſolution be taken thereon.

3d. That in caſe of the abſence of the Preſident from ſickneſs, or any other unavoidable cauſe, the ſenior Member preſent do take the chair, and do, in general, during ſuch abſence of the Preſident, diſcharge all his functions.

4th. That in caſes of difference of opinion between the Members of the Board, the deciſion of the major part preſent ſhall be concluſive; and where they ſhall happen to be equally divided, the Preſident, or in his abſence the ſenior Member preſent, ſhall poſſeſs the caſting voice; provided that in caſe the Member or Members diſſenting from the opinion of the majority ſhall deſire it: his or their diſſent ſhall be immediately referred for final determination to the Governor General and Council, with ſo much of the proceedings of the Board, as have an immediate relation to it, but the determination of the majority ſhall not therefore be ſtayed, unleſs they ſhall think fit ſo to order.

5th. That during the intervals of the Board's meetings, the Preſident or the ſenior Member preſent ſhall ſolely poſſeſs the executive authority, unleſs in caſes where, for the ſake of the greater diſpatch of buſineſs, the Board may think proper to commit the charge of any ſpecific duty to any Member ſeparately.

6th. That it be the duty of the Board of Revenue, on or before the 20th of each ſucceeding month, to tranſmit to the Governor General and Council.

1ſt. A general Tewjee or account of the collections and balances, with a particular explanation of the latter, and of the meaſures which may have been adopted for realizing them, according to the Regulations already in force for that purpoſe; 2d A treaſury account or ſtatement of receipts and payments; and 3dly, A connected ſummary of their conſultations for the ſame period drawn out, not according to the ſeries of each day's proceedings, but digeſted for the entire month, under the ſeparate and diſtinct heads of the reſpective Chiefſhips, Collectorſhips, and offices ſubordinate to the Board with marginal references to the dates of the conſultations, therein referred to; ſo as to exhibit in the twelve ſummaries of the year a compendious and clear narrative of the buſineſs of each principal office and department, ſubſidiary to, and dependent on, the Board of Revenue.

7th. That on the completion of each year's ſettlement, as made for the Bengal, and Bahar, or Vilayte years, reſpectively, the Board of Revenue do as ſpeedily as poſſible lay before the Governor General and Council, an account thereof ſpecifying ſeparately the name of each Mahal, or diſtrict, the renter whether Zemindar, Talookdar, Chowdry, or farmer, and the amount of their reſpective Jumma or rental, accompanied with ſummary notices of the reaſons which may have occaſioned any encreaſe upon, or defalcation from, the proceeding year's Jumma; and that in like manner the Board of Revenue do on the cloſe of each Bengal, Bahar or Vilayte year, reſpectively, ſubmit to the Governor General and Council, a complete account and ſtatement of the collections and balances, on the preceding year's ſettlement with the reaſons very clearly particularized for any balances that may then remain outſtanding.

8th. That, as the Court of Directors have been pleaſed in the 31ſt paragraph of their General Letter, under date the 21ſt September 1785, to direct that the Board of Revenue are to have no power in iſſuing any money for any purpoſes whatever, except in conſequence of orders or warrants from the Governor General and Council, it ſhall be their duty to make monthly applications on this ſubject for the amount of the eſtabliſhments and charges diſburſed from the Khaliſa Treaſury, upon which the neceſſary warrants will be iſſued.

9th. That the Board of Revenue ſhall, in like manner with the late Committee, poſſeſs authority to iſſue Amledary Sunnuds, and all other ſubſidiary orders, Duſtucks and Perwannahs, having a relation to the buſineſs of the collections, under the ſignature of their Preſident, or in his abſence, of the ſenior Member of the Board; but that the annual Amlenamas for the ſettlement of each year, and all Dewannee Sunnuds, be as uſual prepared for, and do paſs only under, the ſignature of the Governor General and Council.

10th. That all the rules and Regulations enacted for the conduct of the late Committee of Revenue and all the powers and authorities veſted in them, and which are not

hereby expreſsly taken away, altered, or varied, be conſidered as ſully applicable to, and binding on, the preſent Board of Revenue, and the ſeveral offices and Departments dependent on them and be ſtrictly attended to accordingly.

Extract *of* Proceedings *in the* Revenue Department *of* 19*th July* 1786.

Letter from the Governor General and Council, to the Board of Revenue, aboliſhing the Bauee Zemin Duſter.

Having taken into conſideration the ſtate of the alienated lands throughout the Provinces, we have, with a view to the more effectual proſecution of the inveſtigation into that branch of the reſources of Government, as well as to avoid the evil conſequences of a divided authority in the Mofuſſil, thought fit to reſolve, that the Collectors in their reſpective diſtricts, be ordered to take charge of this Department in common with the lands under their immediate ſuperintendence with which they are mixed; and in this duty the ſeveral Chiefs and Collectors are to proceed as follows.

1*ſt*. That the reports and informations already before the Board upon this head being communicated to each Collector, as far as it may regard the lands under his charge, the Collector proceed, without loſs of time, to aſcertain the extent, quantity, and value of the lands alienated, with every poſſible information of the period and cauſe of ſuch alienation, and report the ſame to the Revenue Board.

2*d*. That the Collector form the moſt accurate liſt, with the help of the Canongoes, of the names of the preſent incumbents, with a complete regiſter of the Pottahs, or Inſtruments, by which they hold theſe lands.

3*d*. That the Collectors do reſpectively report what light impoſition, in the mode of acknowledgment of ſupremacy and tenure, theſe lands can afford, without undue inconvenience to the preſent holders.

4*th*. The Collector to report what may be the regular annual increaſe of ſuch tax, ſo as that the lands may remain in the undiſturbed poſſeſſion of thoſe who now enjoy them (a meaſure which humanity and policy concur in) and, by eaſy degrees, riſe to that place in the general collections, from which they may have been eſtranged.

When you have obtained the neceſſary information (in the manner above deſcribed) you will make a general report thereon to us for our final orders; by which alone, the ultimate ſituation of the preſent tenants is to be finally regulated and fixed.

We do not mean, that theſe inſtructions ſhould affect what hath already been regularly inquired into and ſettled under the ſanction of the late Committee or that of your

Board, according to the Regulations hitherto existing, for the Bazee Zemin Duftur in Bengal, and for the late office of the free lands in the Province of Bahar; but we desire that you will immediately prepare and lay before us a complete relation of the progress and result of these two branches of investigation from their origin to the present time; and we leave it to you to fix on the period, from which it may be proper to abolish the present Bazee Zemin Dufter in Bengal, or to determine, whether it can, by being continued, be of any utility to Government.

INSTITUTION *of the* OFFICE *of* CHIEF SERRISHTADAR.

Letter from the Governor General in Council dated 19th July 1786.

We have lately had submitted to us by Mr. JAMES GRANT a very ingenious treatise, in which he has given an account of the revenues of these Provinces, and of the rates at which they were formerly assessed together with other matters relative to this most important branch of the public interest.

The most interesting part of this work, by which we mean the practical improvement to be deduced from it, remains yet to be brought forward: but we feel ourselves sufficiently induced from what that gentleman hath already laid before us, to afford Mr. GRANT every scope to bring his subject into practical explanation; as from the analysis which he has made, we think it at least highly probable that the genuine ancient accounts of the revenues have been either mutilated or kept back from the knowledge of the Company's Agents, ever since the acquisition of the Dewannee, at the same time that the original checks of the ancient Bengal exchequer have never since that period been properly or regularly established in favor of the Company, by which we have hitherto been in a great measure deprived of the advantage of being guided by the simple and correct ancient revenue system of the country; which, by its useful checks from the Accountant and Assessor of the village through its several gradations upwards to the Accountant General of the exchequer, was, we have reason to believe, no less calculated to protect the great body of the people from oppression than to secure the full and legal rights of the Sovereign.

That the adherence to this system in all its simplicity and accuracy, may not at all times have been complete even during the existence of the native Government, and more especially in the time of its later Nazims, we think not improbable: but we are at the same time fully convinced, that the evil has from that period, and principally about the time and since our acquisition of the Dewannee, continued rapidly to increase; during which period the ingenuity of the native collectors has endeavoured to confound the limits of different districts, to vitiate accounts, to encrease old Abwabs, and superadd new ones, and in short to involve oppression in such mystery and difficulty as nearly to defeat and set at defiance all attempts to detection.

To endeavour to apply a remedy to thoſe evils is an arduous, but we think a moſt meritorious, undertaking; and the firſt ſteps towards it, are to aſcertain and fix as much as poſſible the ancient limits and accounts of each diſtrict, and to eſtabliſh (which we have already repeatedly wiſhed) the officers of the Canongoe's Department upon its ancient footing altogether independent of the Zemindars, ſo as to diſcover all that may be practicable of ancient regularity and to prevent greater confuſion in time to come.

For theſe purpoſes, and to avail ourſelves as much as poſſible, for the benefit of the Company and the public, of the knowledge and ſervices of Mr. JAMES GRANT, we have determined on the inſtitution of an office well known in this country under the deſignation of Chief Seriſhtadar, with which we have inveſted Mr. GRANT, to act in that capacity under your Board, and alſo to attend as ſuch at your deliberations, as well as at our own meetings in the Revenue Department.

By this eſtabliſhment of the office of Chief Seriſhtadar in favour of Mr. GRANT, we mean that without removing the records of the Khalſa, in its ſeveral departments, from the actual charge of thoſe who may have them now in their reſpective cuſtodies, he be conſidered as the general Superintendent of the native revenue accounts and keeper of all the rules, forms, and ordinances in the native adminiſtration and collection of the revenues; that the reſpective native Seriſhtadars, as well as the Canongoes, muſt be placed under Mr. GRANT's ſpecial controul, as Chief or principal Seriſhtadar, ſo far as to ſecure to him, at all times, the freeſt and readieſt acceſs to their official records and information of every kind that they may poſſeſs.

With theſe powers, or ſuch further authority as experience may ſhow to be neceſſary, we truſt that Mr. GRANT will be enabled to complete his valuable inquiries into the nature and ſources of the revenues, with the mode of collection through native Agency, as well as its diſburſements in the different branches of collection and expenditure, with the net amount at the Khalſa. His ſignature as Seriſhtadar will be neceſſary to all the Perſian accounts and to authenticate all papers hitherto requiring the ſignature of the native Dewan; and he is to be equally reſponſible with that officer in all atteſtations by his ſignature, and to have free acceſs to the proceedings of your Board, as well as of ours, in this department, with the right of ſuggeſting and bringing forward official propoſitions for the re-eſtabliſhment of any part of the ancient inſtitutions of the revenue or for forming new Regulations to ſerve in their ſtead.

In ſhort the great object of his appointment is a reform in that department of the revenue hitherto entruſted to the native officers of the Sudder or exchequer, and their delegates or ſubordinates in the Moſuſſil or country, ſo that the complete legal revenue, equally conſiſtent with the rights of the Sovereign and thoſe of the landholders, with the real proſperity of the country and the happineſs of its inhabitants, may be ſecured to the ſtate.

Finally, we muſt earneſtly recommend to you to afford Mr GRANT the moſt effectual and cordial ſupport, and to give efficacy to the Regulations he may propoſe for the due execution of his charge and for re-eſtabliſhing the ancient forms and conſtitution of the revenue ſyſtem as they ſtood prior to our acquiſition of the Dewannee; and we have only farther to obſerve, that the eſtabliſhment of this department is not meant to ſuperſede any other revenue office held by a Company's ſervant; it's principal object being, as already ſufficiently noticed, a controul over the native officers.

GENERAL REGULATIONS, *for the conduct of the* COLLECTORS, *in the* REVENUE DEPARTMENT. *Paſſed by the* RIGHT HONORABLE *the* GOVERNOR GENERAL *in* COUNCIL, *on the 8th June*, 1787.

PRELIMINARY OBSERVATIONS.

The Right Honorable the Governor General in Council, taking into conſideration the Regulations now propoſed for the conduct of the Collectors, thinks proper, in the firſt place, to obſerve, that the union of the powers appertaining to the functions of Magiſtrate in the perſons of the Collectors, has impoſed a degree of reſponſibility upon them, which calls for the exertion of all their abilities, zeal, and application.

The happineſs of the individuals under their authority, the proſperity of the country at large, and the intereſts of the Company, which are inſeparably connected with the two former objects, now depend in a great meaſure upon their good management.

Conſiderations of this importance are ſufficient of themſelves to ſtimulate zeal and animate abilities. A languid and literal adherence to the rules preſcribed for their guidance, may exempt the officers employed in the Revenue Department from public cenſure; but all of them, it is to be hoped, when they reflect upon the truſts veſted in them, will be animated to purſue a line of conduct upon a more enlarged ſcale, and to diffuſe thoſe general benefits it is in their power to confer, to the advancement of their own reputation, and that of the Government of the country, ſo immediately entruſted to their charge.

A comparative view of the effects of different management, and of the difficulties attending each ſtation, will point out thoſe to whom diſtinction is due and the degree of it; a retroſpection of this nature becomes the duty of Government, and juſtice to individuals alike demands it.

Commerce, population, and agriculture, muſt be promoted or diminiſhed in proportion to the zeal of the acting authority, and the ſuperintending controul of the ſupreme power. Exertions in the former will render the duties of the latter eaſy and pleaſant; to reward and diſtinguiſh zeal, is the moſt agreeable taſk of ſuperintending authority.

Amongſt other qualifications required in thoſe who occupy the ſtations of Collectors of the Revenue, a knowledge of the languages of the country ſeems indiſpenſable. A general acquaintance with the cuſtoms of the country, and the ſtate of the people, with minute information on the local peculiarities of the diſtricts they are appointed to ſuperintend, are alſo eſſentially neceſſary.

Every Collector, excluſive of the official records he is bound to keep, ſhould compile a diſtinct account of the different Pergunnas under his charge, noticing under each whatever relates to it, ſuch, for inſtance, as the real and comparative ſtate of the cultivation and population in it, the rates and rules of aſſeſſment, an account of the conduct of the Zemindar or farmer towards his under tenants, the number of Talookdars, the nature of the produce, and peculiar uſages in it, and the increaſe and decreaſe of the population, with ſuch other remarks or obſervations as muſt ariſe from the buſineſs before him; a copy of this ſhould be tranſmitted annually to Calcutta, and oftener if required, with ſuch additional obſervations and corrections as occur in the courſe of each ſubſequent year. Such a compilation may in time become a ſtandard for conducting the buſineſs, and will enable every new Collector to benefit from the knowledge and experience of his predeceſſor, and however burthenſome the compilation may prove at firſt, it will ultimately ſave both the time and trouble of the Collector. Daily occurrences require the information here pointed out; but not being recorded when received, it is again loſt or imperfectly remembered. They ſhould commence without loſs of time; and beginning with the principal Pergunnas and Zemindarries under their authority, proceed by degrees as far as their other occupations admit, or occurrences ſuggeſt, to the leſſer portions of inferior landholders. Many of the Collectors, it is probable, have already, for their own convenience and ſatisfaction, prepared materials for this work, as every one, who is anxious to do his duty well, muſt wiſh to poſſeſs it. The Board of Revenue, excluſive of the information they will derive from it, will alſo have an opportunity of diſcovering the degree of attention paid by the Collectors ſeverally to the duties preſcribed to them; an object to which it is at all times their duty to pay the greateſt attention, as well as from time to time, to report ſuch obſervations as occur to them in conſequence.

The general injunctions, contained in the preceding obſervations, are to be conſidered as equally obligatory on the Collectors as the following particular rules, which are now preſcribed for the regulation of their daily duty in the important offices committed to their charge.

REGULATIONS.

1. That the ſeveral branches of the public duty now veſted in the Collector, ſhall not be blended in the execution, but each part ſhall be diſcharged by him in the capacity of Collector, Judge, or Magiſtrate, according to the department to which it belongs, and be recorded in the proceedings of that department only, diſtinct from others.

II. That all proceedings or orders, held or iſſued by the Collector in the Revenue Department, ſhall be duly recorded at the time.

III. That all acts and proceedings of the Collector, muſt be done and held publickly.

IV. That every petition or application relating to any matter of Revenue Juriſdiction, either verbal or written, ſhall be received, heard, and recorded by the Collector, whether diſmiſſed or not; and the diſmiſſion, with the reaſons aſſigned for it, be recorded, leaving it to the party to ſeek further redreſs at the Preſidency, if he thinks fit.

V. That it be in the option of the Collector, to record his proceedings, or diaries, in the Revenue Department, either in the Engliſh, Perſian, or Bengal languages; but he is required to ſign them as often as they are held.

VI. That the Collector ſhall not refer any complaints preferred by Ryots againſt a farmer, or other perſon employed under him, to ſuch farmer or perſon complained againſt, for redreſs; but ſhall hear, examine, and decide them himſelf; and, if well founded, ſhall compel the party committing the injury to afford redreſs: and if the complaint ſhould be proved to be litigious and ill founded, he ſhall puniſh ſuch complainant according to his or her ſex, rank, and circumſtances, and to the degree of the injury to the party complained againſt, by compelling the complainant to pay coſts of ſuit to the latter, or by confinement.

VII. That the Collector may, however, authorize his Aſſiſtant, or his Dewan, to hear, receive, examine and decide complaints or petitions preferred, under the rules laid down, reſerving to himſelf the power of reſcinding or confirming their proceedings, in caſe the parties ſhould be diſſatisfied, or if he ſhould himſelf diſapprove them: no deciſion made by any Aſſiſtant or Dewan to be deemed confirmed, without the approbation of the Collector.

VIII. That the Collector be nevertheleſs authorized to refer trifling complaints between Ryots, or of Ryots againſt Talookdars, or inferior officers in the collections, to the farmer, or head officer ſtationed on the part of the farmer in the diſtrict: but that he obſerve it as an invariable rule to require and exact from the perſon to whom ſuch reference is made, a regular return to the reference, under his ſignature, and that of one or more of the principal officers of the Cutcherry of that Pergunna. The return to become a record in his proceedings.

IX. That all ſummons requiring the appearance of any perſons in matters relating to the revenues, be in writing under the ſignature of the Collector, or of his Aſſiſtant, with the approbation of the Collector, and official ſeal. This rule is not meant to extend to the calling of perſons on the ſpot in the courſe of daily, or official attendance.

X. That in no inſtance, the number of Peons ſerving the ſummons, ſhall exceed two.

XI. That in case of neglect or refusal to obey the summons, the persons guilty of such neglect or refusal shall be required to answer for their conduct, and suffer a punishment according to the degree of the offance, either by fine, not exceeding in any instance the sum of 200 Rupees, or by imprisonment, not to extend beyond the term of one month.

XII. That in all cases where the Zemindars or landholders are proved on satisfactory evidence, taken on oath, to have resisted any written process directed to them, they be required, by public advertisement, affixed at the head Cutcherry of the district, and at the place where they reside, to appear to answer to the complaint, within a sufficient specified time, under penalty of confiscation of their lands; and that in default of appearance their lands be actually confiscated, and be not restored to them without the express permission of the Honourable the Governor General in Council, who reserves to himself the right of mitigating the sentence. The same mode of summons to be adopted with respect to farmers, in case of resisting the process of the Collector, who are to be apprehended, and not to be released, without the special orders of the Board of Revenue.

XIII. That if the Zemindar or landholder accused of resistance be a woman, or a minor, the Collector do ascertain by whom such resistance, on her, or his part, has been made, and do require the attendance of such person by summons, as above directed.

XIV. That a time be limited for the serving and return of the summons, and endorsed upon [illegible]

XV. That the Tulbana or fees of the Peons shall in no instance exceed two Annas a day per each man, which is to be in full of every allowance whatever to him. If the custom of any district should have already fixed it at a lower rate, that rate is to be preserved; and the Collector is required to punish, in an exemplary manner, every act of extortion in the Peons employed. That no Peons, receiving monthly allowance from the Collector, be allowed to receive Tulbana.

XVI. That the Dewan be considered as the ministerial officer of the Collector, and to act entirely under his order, and by such rules as he shall prescribe. He is not to perform any act of authority without the sanction or orders of the Collector.

XVII. That the Collectors be in every case strictly prohibited from making use of the agency of their private servants, whether Banians or others, in the discharge of any part of their public duty, it being expected and required, that in all cases they shall themselves stand forth, and act as the only empowered Agents of Government in their several stations, making use, as they may occasionally require, of their Assistants or Dewan, or the inferior public servants now allowed them, under the limitations here described.

XVIII. That the appointment and dismission of these inferior public servants be vested in the Collectors respectively, with this proviso, that they transmit regular lists of the

names of thoſe they ſhall ſo preſer to the Board of Revenue, and give notice of all ſubſequent diſmiſſions and appointments, and employ none but ſuch public and regiſtered officers in any reſpect in their official capacity, nor on any plea or pretext, confer on any ſuch public officer or ſervant, any private or perſonal truſt, in regard to their perſonal concerns or *vice verſa*.

XIX. That the perſonal attendance of any Zemindar or farmer, or other perſon entruſted with the collections, be not inſiſted upon, where the attendance of a Vakeel on their part may be ſufficient for the buſineſs required.

Every Vakeel attending the Collector's Cutcherry is previouſly to deliver a Vakalet-nama properly authenticated.

XX. That every demand for rent according to the Kiſtbundee be made in writing, under the ſignature of the Collector and Dewan, and official ſeal: the amount demanded to be ſpecified.

XXI. That every Collector be required to give monthly receipts for all payments of revenue into his treaſury, ſpecifying the dates on which the money was received, if at different periods, and the ſpecies thereof; and that he keep a regiſter of ſuch receipts regularly numbered in his records under his ſignature, to be tranſmitted monthly, and as much oftener as may be required, to the Board of Revenue; and that he alſo do enforce the ſtanding orders of Government, requiring all Zemindars, farmers and renters, to give receipts to their under renters for the ſums received by them.

XXII. That for the purpoſe of enforcing the payment of the collections, Mohuſſels ſhall be employed as little as poſſible; but when indiſpenſably neceſſary, that no greater number of Peons be placed as Mohuſſil over any farmer or renter than two.

XXIII. That the Collector, in caſe of the neglect of any farmer, or Zemindar, to make good his monthly payments by the ſtipulated periods, be authorized to put him into confinement; and in caſe a ſum equal to one third of the Kiſt of any one month, be not diſcharged by the 15th of the enſuing, that he be required to do it, and to keep him in confinement till the whole ſhall be completely diſcharged.

XXIV. That in this caſe the Collector do take precautions to prevent any inconveniences or loſs of revenues by the confinement of ſuch Zemindar or renter, by inveſting the Dewan, Peſhkar, or principal ſervant of ſuch Zemindar, or farmer, with the temporary management of the collections, or by the appointment of an Aumeen, or Sezawul, for this purpoſe. But in this caſe the Aumeen, or Sezawul, is to collect the ſettlement made by the renter from the perſons under engagements to him; and he is not to make any alteration in the Moſuſſil ſettlement without a reference to, and the ſanction of, the Board of Revenue.

XXV. That as cafes may, however, occur, in which the payment of the revenues may be protracted, or delayed, from accidental cauſes of neceſſity, without any fault or neglect of the renter, the Collector in ſuch inſtances be authorized to ſuſpend the rigorous execution of the injunctions in the concluſion of the 23d article, reporting the caſe, with the reaſons which have induced him to ſuſpend the meaſure, to the Board of Revenue.

XXVI. During the abſence of the Collector from his ſtation, the ſenior Aſſiſtant on the ſpot is to have charge of the buſineſs, and the Dewan is to obey his orders.

XXVII. That monthly receipts for the allowances paid by the Collector, agreeable to the fixed eſtabliſhment, be taken by him, and depoſited with the public records of his Collectorſhip, and a regiſter kept thereof; and that ſuch receipts be annually, or on his relinquiſhing his office, tranſmitted to Calcutta, at his option with regard to the time, unleſs the Board of Revenue ſhould require the tranſmiſſion of them ſooner.

XXVIII. That no Collector, or Aſſiſtant under him, or Dewan of any Collector, or any native in the employ of any Collector or Aſſiſtant, ſhall hold, directly or indirectly, any farm, or be concerned in the revenues of any place under his juriſdiction, either as farmer, ſecurity, or otherwiſe.

XXIX That no Collector, Aſſiſtant, or Dewan, or any native in the employ of any Collector or Aſſiſtant, ſhall be allowed, either directly or indirectly, to lend money to any farmer or perſons reſponſible for the revenues within the bounds of ſuch Collector's juriſdiction.

XXX. That no Collector, Aſſiſtant, or Dewan, ſhall be allowed to exerciſe or carry on any trade or commerce.

XXXI. That whenever any Aumeens or Sezawuls are appointed by the Collectors, the charges thereof ſhall be defrayed by the perſon or parties on whoſe account they are ſent, or if to ſuperintend or collect the revenues, at the expence of the farmer or renter. That where Aumeens are deputed for any local inveſtigations, or other purpoſes, admitting a limitation for the execution thereof, a time be limited them for the performance of the buſineſs of their appointment, and that they be not allowed to receive their ſalary for any time beyond the limited period.

XXXII. The Collector is invariably to report to the Board of Revenue all ſuch appointments at ſoon as made, and the purpoſes of them.

XXXIII. That together with the Sunnud or appointment of the Aumeen, a Burrawurd, or eſtabliſhment, fixing the expence, be previouſly ſettled and delivered to the Aumeen.

XXXIV. The Collector to aſcertain the rate of intereſt paid by the Rayats on ſums borrowed, and where exceſſive, to propoſe a limitation thereof.

XXXV. That the Collector do give the moſt unremitted attention to aſcertain the rules and rates of aſſeſſment on the Ryots under his juriſdiction, and endeavour to fix upon ſome mode by which they may be regulated on general, fair, and aſcertained principles.

XXXVI. That he take care to collect all the records and accounts of his Collectorſhip, and preſerve them as complete as poſſible.

XXXVII. That no Collector publiſh any proclamation or order which may in any ſhape affect our intercourſe with foreign nations, or the general conſtitution of the Government of theſe Provinces, without an expreſs order from the Governor General in Council.

XXXVIII. That in all anſwers to letters from the Board of Revenue, the Collectors do recapitulate the ſubſtance of ſuch letters to which they reply, and when they have occaſion to make any remarks or alluſions to other papers ſent encloſed in the letter, they briefly ſtate ſuch parts of them as thoſe remarks appertain to.

XXXIX. That letters accompanying monthly or annual accounts, contain nothing more than a recital of theſe accounts: all explanations of ſuch accounts to be inſerted at the foot of each account reſpectively.

XL. That no Collector ſhall authorize or ſuffer any tax or impoſition on the venders or owners of horſes, or ſtop horſes from paſſing, on any pretence whatever, or ſhall ſuffer others under his authority to do either; and ſhall compel any perſon under him offending againſt this rule to refund the amount of the exaction ſo taken, and be made anſwerable for whatever loſs the merchant or proprietor of the horſes ſhall have ſuſtained by ſuch detention.

XLI. That no Collector or Aſſiſtant ſhall be authorized to poſſeſs or occupy ground, or erect any buildings, without previous application to, and the ſanction of, the Board of Revenue.

XLII. That the Board of Revenue ſhall be authorized, in the firſt inſtance, to hear and receive appeals in matters of Revenue from the deciſions of the Collectors, and to confirm or reſcind the deciſion, ſubject, however, to the reviſion and ultimate deciſion of the Supreme Council, in caſe either party ſhall think fit to make a further appeal, provided that ſuch ultimate appeal be preferred within one month from the paſſing of the deciſion by the Board of Revenue.

XLIII. That the party wiſhing to appeal muſt ſignify his intention to the Collector within one month after the paſſing of the decree, by a petition delivered for that purpoſe, and that he reject any petition of appeal made after the preſcribed period, recording the application and the rejection.

XLIV. That in cafes of appeal the decifion of the Collector fhall remain in force until approved or difapproved by the Board of Revenue, and in like manner the decifion of the Board of Revenue until confirmed or refcinded by the Supreme Board; the Collector and Board of Revenue to have a difcretion of fufpending the decifion, on fecurity given to abide the event of the fuit.

XLV. That the Collector do make it an invariable rule to accompany all papers in the country languages, with tranflations thereof.

XLVI. That to provide againft the lofs of rents and confufion of accounts from any Collector being permitted to refign, it be, and it is hereby made, a ftanding rule of the fervice, that no Collector fhall be permitted to depart from his ftation, till either he fhall have delivered over complete charge of his truft to his fucceffor, or to his Affiftant, and until due notification thereof fhall have been made to the Board of Revenue, and their fanction obtained for his departure; and this Regulation fhall on no account be difpenfed with, unlefs by expreſs permiffion of the Board of Revenue, to be feparately granted for any particular cafe that may require it.

XLVII. That all applications from the Collectors for temporary leave of abfence from their ftations, fhall be made to the Board of Revenue. The Collectors are authorized to grant leave of abfence to their Affiftants.

XLVIII. That no Collector, upon any account, exceed the fixed or eftabliſhed charges, and that he inſert no charge in his treaſury-account, but fuch as may be conformable to the fixed eſtabliſhment, or fanctioned by a ſpecial order of the Board of Revenue, which is in that cafe to be quoted, with the date of its being iſſued.

XLIX. That no Collector ſhall be authorized to depute his Aſſiſtant upon any ſervice for a longer period than ten days, without the expreſs permiſſion of the Board of Revenue, nor to pay the allowances of any deputation, without obtaining their previous ſanction.

L. That whereas notwithſtanding the orders of Government in the year 1772, prohibiting the impoſition of Muthote or Aſſeſſment, under the names of Mangun, Hauldaurree Morucha, Bazee Jumma, or Soad, or any other new articles of taxation, various taxes have been ſince impoſed, the Collector is ſtrictly enjoined to enforce this article, and prevent the impoſition of any new taxes upon the Ryots, and if hereafter any new taxes ſhou'd be impoſed, the Collector, on proof of ſuch extortion, is to decree double the amount thereof to the party injured, as coſts of ſuit.

LI. The Collector is alſo directed to enforce the repeated orders of Government, for the abolition of the Zemindarree Chokies, at which the Sayer Cheluntah or duties on goods or boats paſſing or repaſſing are collected, and to prevent any ſuch duties being le-

vied, and that as a more effectual means of annihilating an abuſe exiſting in open defiance of public orders, he do obſerve the following proceſs.

That he apprehend the perſons convicted of levying ſuch duties, and deliver them over to the Foujedarry Court for their trial and puniſhment, reporting every ſuch inſtance, and the ſentence of the Foujedarry Court, to the Board of Revenue.

That where the perſons ſo convicted of levying duties, are proved to have acted with the ſanction or concurrence of the Zemindar or head farmer of the diſtrict, he do, in every inſtance, compel the farmer or Zemindar to pay a forfeiture of five Rupees for every Rupee levied in this unauthorized manner, where the ſum total ſhall not exceed fifty Rupees; and for every Rupee above that ſum, treble the amount, and that he keep ſuch Zemindar or farmer in confinement until the forfeiture be paid. Out of this amount, the parties ſuffering from the exaction are to be reimburſed the amount of the ſum exacted, and a proportion of one half more as damages or coſts of ſuit.

LII. That the Meer Baherree be conſidered as aboliſhed, together with the Sayer Cheluntah.

LIII. That no Collector ſhall be authorized to confer any grants of lands, or authorize any alienations, ſale, mortgage, or other transfer of landed property, without the expreſs ſanction of the Board of Revenue; and that he prevent all alienations, or grants of lands, by Zemindars or others under his authority.

LIV. That no Collector be authorized to give any land in farm to any European, directly or indirectly, or accept the ſecurity of any European for any renter.

LV. That each Collector report to the Board of Revenue all ſuch unauthorized alienations as may come to his knowledge; and if from the date fixed for the operation of theſe orders any other ſhould be made, he do immediately reſume them, and keep them Khaſs, reporting ſuch act of reſumption to the Board of Revenue.

LVI. That no Collector be authorized to ſell the lands of any Zemindar, or other proprietor, on account of Government, for balances of rent due to them, without the previous and expreſs ſanction of the Board of Revenue.

LVII. That every Collector do ſend the following accounts to the Board of Revenue.

Annual Accounts Engliſh and Perſian, viz.

1. An account ſettlement, ſpecifying the names of the renters and ſecurities, the Jumma of each, with the variations in the amount of the Jumma from that of the preceding year.

2. A Kiſtbundee of the above.

3. An abſtract ſettlement and Kiſtbundee.

4. An account ſettlement, receipts and balances, with the particulars ſpecified in the firſt accounts.

5. An abſtract of do.

6. A General Treaſury account.

Monthly Accounts in Engliſh and Perſian.

1. Amount eſtimate of expected receipts and diſburſements.

2. The Towjee and Treaſury accounts.

3. Price current as at preſent.

Perſian Accounts.

1. An account particulars of increaſe and decreaſe of the ſeveral articles of the ſettlement, in Perſian only.

LVIII. That the Towjee account ſhall be cloſed on the 15th of each Bengal month for the collections of the preceding month, and be without fail diſpatched to the Preſidency on the 16th; and that it contain a full and clear ſtatement and explanation of the balance remaining due from each Mehal and renter.

LIX. The monthly Towjee and Treaſury account, to be prepared agreeable to the form accompanying theſe Regulations, and the latter to be tranſmitted by the 5th of each Engliſh month, for the preceding month.

LX. That no Collector do give credit in his Towjee or Treaſury account for the amount of any bills or Pauts, or for any ſums but ſuch as have been actually received; and that he ſhall be held reſponſible for all ſums inſerted as received in his public accounts.

LXI. That the Collector do inſert in his Treaſury account, the amount of all fees, fines, and forfeitures levied by him, agreeable to a ſpecific liſt thereof, which is to accompany his Treaſury account; and that he ſend a monthly regiſter of any depoſites he may occaſionally receive.

LXII. That the Collectors do remit, without fail, the monthly balance of their treaſuries on the firſt of every Engliſh month, together with a ſpecial letter, explaining the mode of remitting the balance in hand, or reaſons for detaining it.

LXIII. That every remittance of Revenue to the Khalſa Treaſury, be accompanied with invoices in Engliſh and Perſian, ſpecifying on what account, and for what period the remittances are made.

LXIV. That it be an invariable rule for the Collectors, on the day on which they pay a bill for military ſervice, to ſend information to the Military Pay-maſter General, of their having done ſo.

LXV. That the orders and Regulations regarding certificates, publiſhed in December 1785, and June 1786, be conſidered in full force, and be obſerved accordingly.

LXVI. That all the Perſian accounts, ſent down annually or monthly, be ſigned by the Collector and Dewan.

LXVII. That the Treaſury accounts be invariably accompanied with a regiſter of the monthly vouchers.

LXVIII. That the Collector do note any inconveniences that may ariſe from the preſent diſtribution of the lands into Coll-ctorſhips, and inform the Board of Revenue of the ſame, on or before the 15th January 1788, in order to a more perfect arrangement next year.

LXIX. As the Zemindars in many parts of the country have been ſuſpected of conniving at robberies and murders, or of being parties concerned in ſuch offences, notwithſtanding the public Regulations, by which they are bound to preſerve the peace of the country, within the limits of their reſpective juriſdictions; the Collectors are authorized, on information given, or on well grounded and general ſuſpicion, to cauſe ſuch Zemindars to be apprehended, and on their apprehenſion, to publiſh advertiſements, giving notice thereof, and requiring all perſons who have been robbed within their reſpective Zemindarries, to appear and give evidence, and in caſe evidence ſhould be produced, that the Zemindars be forthwith delivered over to the Foujedarry Courts to take their trial. But, in caſe no witneſs ſhould appear againſt them, that the Zemindars apprehended be releaſed, either with or without ſecurity, as circumſtances may warrant.

LXX. Whenever a Zemindar is proved guilty of having abetted, practiſed, or connived at, murders or robberies, that none of his family ſhall be permitted to ſucceed to the Zemindarree, without expreſs permiſſion of the Honorable the Governor General in Council.

LXXI. Whenever there ſhall be any of the Honorable Company's Troops at a revenue ſtation, the Commanding Officer ſhall on no account, of his own authority, detach any Sepoys, either ſingly or in parties, beyond their quarters, upon any ſervice whatever, except at the requiſition, in writing, of the Collector of the ſtation at which he is fixed. This order is not to be underſtood to impede the performance of any cuſtomary regimental ſervices or duties.

LXXII. The Commanding Officer ſhall not be permitted to puniſh or confine any perſon not appertaining to his command. Neither ſhall any Commanding Officer, or any officer commiſſioned or non-commiſſioned, or any private, under his command, be permitted to lend or borrow money, nor to take any concern in any farm, Talook, or ſecurity ſhip, or to ſell, or to contract to ſell, any article whatever, either in the diſtrict in

which he reſides, or in any other, or to have any dealings of any kind whatever, with any Dewan, Zemindar, farmer, Ryot, or other dependant or officer of the revenue. Theſe orders ſhall be equally binding upon the native officers, and on all the Sepoys and followers of the corps.

LXXIII. Whenever the Collector ſhall find it neceſſary to detach any Sepoys for eſcorts of treaſure, or other public duties, he ſhall make a requiſition in writing to the Commanding Officer, ſpecifying the nature of the ſervice; and the officer ſhall determine the ſtrength of the detachment, and give his ſeparate orders to the officer commanding ſuch detachment, for the performance of any ſervice, in ſuch caſes as may require it: and no detachment ſhall be made without a requiſition in writing from the Collector.

LXXIV. That no Collector ſhall be authorized to employ Sepoys in the collection of the revenues.

LXXV. All requiſitions and inſtructions relative to military ſervice, ſhall be entered by the Collector in a ſeparate book to be kept for that purpoſe, of which he ſhall tranſmit a copy monthly to the Board of Revenue.

LXXVI. That whenever a requiſition for Sepoys ſhall be made by a Collector, he ſhall, within twenty-four hours after ſuch requiſition has been made, tranſmit advice thereof to the Board of Revenue, aſſigning the reaſons which induced him to make it, that the Board may, if the reaſons ſhall not appear to them ſufficient, give orders for recalling the detachment, or limit the duration of it.

LXXVII. That no Batta be ever levied or taken by Sepoys employed on buſineſs in the Moſuſſil.

LXXVIII. That the Collectors do pay attention to all references of complaints, and to all applications or requiſitions made by the Preſident of the Board of Revenue, the acting Preſident, or the Preparer of Reports, for papers, accounts, or perſons &c.

LXXIX. That no Collector ſhall be authorized to make any advance account Tuccavey, without the expreſs ſanction of the Board of Revenue.

LXXX. The Collectors are poſitively enjoined to collect the Aumilnama fees with the three firſt Kiſts of the year, and to remit the amount thereof by bills to the Accountant General of the Revenue Department.

LXXXI. That the Collectors make it an invariable rule to report the death of any Zemindar in poſſeſſion of land under his authority, as well as that of any penſioner or officer paid by him, and that the pay of any deceaſed penſioner be not continued to his family without the expreſs ſanction of the Board of Revenue.

LXXXII. That no Dawks be allowed in any part of the country without the expreſs orders of Government; and that Coſſids be employed where the communication is neceſſary, and cannot be carried on without them.

LXXXIII. That the printed Regulations for the weavers be held to be in force.

LXXXIV. That no Collector ſhall be authorized to exerciſe any authority beyond the bounds of his Collectorſhip, or depute any perſons into the lands of any other Collector.

LXXXV. That when the property of land is diſputed between perſons under the authority of different Collectors, the land ſhall remain in the poſſeſſion of the perſon holding it until a regular deciſion upon the caſe ſhall paſs. This rule is not to be underſtood to confirm any poſſeſſion forcibly obtained ſince the commencement of the preſent Bengal year 1194.

LXXXVI. That any Zemindar or renter, claiming land poſſeſſed by any other Zemindar or perſon under the authority of another Collector, muſt prefer his claims by a petition to the Collector under whoſe authority the land is ſituated, who ſhall in that caſe take cognizance of it in his capacity of Judge, and hear and try the cauſe by the judicial regulations.

LXXXVII. That when perſons under the authority of any Collectors ſhall take refuge within lands under another juriſdiction, they ſhall, upon application from the perſon from whoſe authority they have fled, to the Collector of the diſtrict where they have fled to, be delivered up.

LXXXVIII. That no application ſhall be made by any Collector for perſons flying from his authority to that of another, excepting for officers of Government, or upon ſpecific complaints preferred againſt the parties flying for balances due on accounts unadjuſted; and previous to ſuch an application, the Collector ſhall endeavour to ſatisfy himſelf, as far as poſſible, that the complaints are well founded, and that the perſons complained againſt have not been forced into elopement by ſeverities or extortion. On their return, the Collector himſelf is required to inquire into, and decide, the complaints preferred to him, on which his application is grounded, it being underſtood, that no Collector ſhall compel any Ryots or other perſons, not his public ſervants, to reſide within the bounds of his Collectorſhip, but ſhall permit them to ſettle where they pleaſe.

LXXXIX. That the preſent Regulations, except the 27th, 36th, 37th, 38th, 39th, 45th, 47th, 48th, 49th, 57th, 58th, 59th, 60th, 62d, 63d, 64th, 65th, 66th, 67th, 68th, 71ſt, 72d, 73d, 75th, 76th, 82d, part of 89th, and 91ſt, be tranſlated into the Perſian and Bengal languages, and publiſhed for the information of the Zemindars, farmers, and other perſons under the authority of the Collectors, being all orders injuctive or prohibi-

tive contained in theſe Regulations, to which their obſervance is required; and that copies of them be conſtantly kept in the public Cutcherry of each Collectorſhip, and be there open to the acceſs of all perſons deſirous of conſulting them.

XC. That the Collectors be directed to cauſe the deeds of ſettlement to be executed by the Zemindars and renters in their preſence, and to tranſmit authenticated copies thereof in the Perſian language to the Board of Revenue.

XCI. That if any of the above rules ſhould not appear ſufficiently clear or preciſe, the Collectors are required to addreſs the Board of Revenue for an explanation; or if they ſhould have reaſon to apprehend any particular inconveniency likely to ariſe from a literal adherence to any of the Regulations, they are to ſtate the grounds of ſuch apprehenſions to the Board of Revenue, who are to ſubmit the ſame, with their opinion, to the deciſion of the Governor General in Council.

XCII. That the preſent general Regulations be held to be in force from the 1ſt day of July 1787, and the Collectors are to conſider them as ſtanding rules of conduct. Any particular orders or inſtructions they may have received, where not revoked, or ſuperſeded by the above rules, are alſo to be in force, and obſerved accordingly. The Governor General in Council requires the ſtricteſt attention on the part of the Collectors of the revenue, to all and each of the preceding Regulations, and the Board of Revenue are hereby ſtrictly enjoined minutely to attend to their execution, and to report every inſtance in which their obſervance ſhall be neglected, or in any manner omitted.

XCIII. That the Board of Revenue do impoſe a fine upon every Collector who ſhall in future neglect to tranſmit his Towjee or monthly account by the period ſpecified in the 58th article of the Regulations without aſſigning a ſufficient excuſe for ſuch omiſſion, not exceeding the half of one month's ſalary for the firſt omiſſion and of a whole month's ſalary for the ſecond or any future omiſſion.

REGULATIONS *for the* BOARD *of* REVENUE, *paſſed by the* GOVERNOR GENERAL *in* COUNCIL, *on 25th April* 1788.

Functions and Powers of the Board of Revenue.

1. The general functions of the Board of Revenue are deliberation, ſuperintendence and controul. The excluſive detail of the buſineſs of the Revenue Department is veſted in ſubordinate officers. Upon this diſtinction the Regulations now preſcribed are drawn out.

2. The delegated authority of the Board of Revenue extends generally to all perſons employed in the executive adminiſtration of every branch of the Company's Revenues,

including land rents, ſalt, opium, cuſtoms and duties of every denomination, within the Provinces of Bengal, Behar and Oriſſa, or dependencies; alſo to the ſalt Comptroller, Preparer of reports, and all officers in any wiſe appertaining to the Khalſa Revenue Departments at the Preſidency (the immediate officers of the Governor General in Council excepted), and ſpecially to all Zemindars, Talookdars, Chowdries, or other landholders, farmers, Muttahids, Wadadars, ſecurities, Aumils, Etmaumdars, Tehſildars, Ryots, and others concerned in, or reſponſible for, any part of the revenues or reſources of Government, or ſubject to the ſeveral officers under the Board: with reſpect to the Reſidency of Benares, the Board of Revenue are to confine their ſuperintendence to the exerciſe only of that controul which is delegated to them by the orders of Government of the 27th July laſt, in matters relating to the revenues of the Zemindary.

3. Their principal duty is to take care, that the officers under their authority perform their aſſigned duties, with regularity, integrity, and aſſiduity. They are therefore required to puniſh, as far as the powers veſted in them for that purpoſe allow, every deviation from the public Regulations, diſobedience to orders, malverſation and inattention, in the officers under them, and to report any ſuch inſtances when they may occur to the Governor General in Council.

4. To enable them to accompliſh this fundamental principle of their inſtitution, they are declared to be inveſted with the following powers for the inveſtigation and puniſhment of offences committed by any officer under their authority according to the nature and degree of it. To ſummon him to the Preſidency to explain and juſtify his conduct, to impoſe a fine upon him not exceeding one month's ſalary, and to ſuſpend him from his office; reporting every inſtance of the exerciſe of theſe powers to the Governor General in Council.

5. When any complaints are preferred to the Board againſt a Collector, his Aſſiſtant, or Dewan, or any other officer ſubject to their authority for matters cognizable by them, they are to call upon ſuch perſon for his explanation and defence. If the complaint ſhould be of ſerious nature, ſuch as for corruption, extortion, peculation, or oppreſſion, they are, in juſtice to the perſon complained againſt, as well as to the complainant, required to inſtitute an inquiry into the charge and proſecute it to the proof or refutation of the complaint, either themſelves collectively, or through their Preſident, or the Preparer of Reports. In caſes of complaints preſented by Vakeels or Agents however, they are in the firſt inſtance, to aſcertain the authority of ſuch Agents to preſent the ſame, from credentials, general or ſpecial.

6. If the complaints deſcribed in the preceding paragraph ſhould be proved litigious and groundleſs, the Board of Revenue are authorized to puniſh the complainant by fine and by impriſonment, according to his or her ſex, rank and circumſtances, to the degree

of the injury to the party complained againſt, and alſo by compelling the complainant to reimburſe the latter any expences incurred by ſuch complaint; immediately reporting the caſe and deciſion to the Governor General in Council, but without delaying execution.

7. With reſpect to complaints of revenue juriſdiction in general from renters and others under the authority of the different officers in the Revenue Department againſt each other, by the leading principle of theſe Regulations they are to be referred in the firſt inſtance to the Collectors and other officers for inquiry and redreſs; and occaſional report, when thought expedient. The complaints of revenue juriſdiction here alluded to are thoſe exempted from the cognizance of the Dewannee Adauluts by the 19th article of the public judicial Regulations approved on the 27th June 1787.

8. The Board of Revenue are however authorized, if they ſhould deem any ſuch complaints of ſufficient importance, to inſtitute an inveſtigation into them at the Preſidency or to depute a Commiſſioner for the ſame purpoſe to the ſpot.

9. Appeals from the deciſion of the Collectors in matters of revenue juriſdiction, preferred within the time preſcribed in the revenue Regulations, to the Collector or the Board, are cognizable, in the firſt inſtance, by the Board of Revenue: with whom it reſts to confirm, alter, or reſcind the ſame, ſubject in like manner to the reviſion and ultimate deciſion of the Supreme Council in caſe either of the original parties ſhould think proper to make a further appeal, and provided ſuch appeal be made within one month from the date of the deciſion of the Board of Revenue: but their deciſion ſhall remain in force, until the judgment of the Supreme Council is paſſed thereon; unleſs they ſhall think proper to ſuſpend the ſame on ſecurity given to abide the event of the ſuit.

10. All deputations ordered by the Board of Revenue to be immediately reported to the Governor General in Council, with the reaſons on which they have been ordered; and in all inſtances admitting a limitation for the execution, a time is to be fixed for the performance of the commiſſion, beyond which the perſon deputed is to receive no allowance for the duty thereof without explaining the cauſe of delay to the full ſatisfaction of the Board; the expence of ſuch deputations to be defrayed by the parties on whoſe account they may be made, or by Government, as ſhall in each caſe be determined by the Governor General in Council on the queſtion being ſubmitted by the Board with their opinion.

11. Whenever the Board of Revenue or Preſident may require the attendance of any natives not immediately belonging to their own eſtabliſhment, and not at the Preſidency, they ſhall direct the officer within whoſe juriſdiction they reſide to procure their attendance at the Board, or at the Khalſa within ſuch ſpecific limited time as they may judge proper, provided however that the perſonal attendance of no one be inſiſted upon where the attendance of a Vakeel may be ſufficient, and with this exception that if the perſons re-

quired to attend, are wanted for the purpoſe of giving evidence on a complaint againſt a Collector, his Aſſiſtant, or Dewan, the order may in that caſe be immediately iſſued to the parties wanted, by the Preſident or the Board: in caſe of neglect, or refuſal to obey any ſummons, or of proved reſiſtance to any written proceſs, the perſons guilty of ſuch neglect, refuſal or reſiſtance, ſhall be proceeded againſt as directed in the 11th, 12th and 13th articles of the General Regulations for the conduct of the Collectors.

12. All Perwannas, orders and directions, iſſued in conſequence of the reſolutions of the Board (under the above exception in reſpect to requiſitions for perſonal attendance), ſhall be ſent to the proper executive officers, to be by them enforced.

13. The Board of Revenue are reſtricted from interference in any matters appertaining to Adaulut juriſdiction; and no member of the Board excepting the Preſident, as ſpecially empowered, is to exerciſe any ſeparate act of authority, unleſs in caſes, where for diſpatch of buſineſs the Board may think proper to commit the charge of any ſpecific duty to any member ſeparately.

14. The Board of Revenue are empowered to iſſue orders to their ſubordinate officers for the formation of the ſettlement of the revenue in conformity to the general rules or ſpecific inſtructions preſcribed by the Governor General in Council for their guidance.

15. The general rules for the formation of the ſettlement are theſe; that in all practicable inſtances it may be made with the Zemindar, Talookdar or other landholder, but that incapacity from minority, ſex, lunacy, contumacy, notorious profligacy of character, or non-performance of engagements (except on account of calamity or other juſtifying caſualty) be conſidered as exceptions from this rule.

16. That in every inſtance where a deviation from this rule is deemed indiſpenſable, the Board of Revenue, if the time ſhould admit, are to report it firſt for the information and determination of the Governor General in Council, with ſpecific propoſitions for the ſettlement in ſuch inſtance; but if they ſhould apprehend any material inconvenience or loſs from delay, they are to iſſue their orders for the formation of the ſettlement without ſuch reference, but immediately report their reaſons for the admitted deviation: in all caſes however where the landholder may be deemed incapacitated from minority, ſex or lunacy, and not from any act of delinquency, they are to give the management to ſome reſpectable relation or principal officer of the landholder if any ſuch be found worthy of the truſt and willing to undertake it, making him a party in the landholder's engagements with Government, and binding him to a faithful diſcharge of the duty by reſtrictions impoſing a reſponſibility affecting his perſon and property; or if no fit perſon can be found for this purpoſe, and a farm therefore become indiſpenſable, they are in the ſpecial caſes abovementioned, to take care that a proviſion be made for the diſtreſſed landholders by

allotting them a proportion of the produce of the lands, where they do not poſſeſs Neej-joot, Cumar, or other rent-free land, or lands under-rated, ſufficient to furniſh a maintenance.

In caſe of ſettlement with Zemindars, Talookdars, or other landholders, their lands are to be deemed ſufficient ſecurity: this to be conſidered as a general rule, but ſubject to occaſional deviation where particular circumſtances may render a Mulzamin for landholders adviſable. In all caſes of farm a Mulzamin is indiſpenſable.

17. No remiſſions upon the ſettlement of the preceding year, are to be confirmed, without the ſpecial ſanction of the Governor General in Council.

18. The Board of Revenue, upon the tranſmiſſion of their report on the receipts and balances of the month of Pous for the diſtricts which pay according to the Bengal year, and of the month of Jyte-ſer thoſe which pay according to the Fuſſily or Velayetty year, as hereafter explained, are to apply for the inſtructions of the Governor General in Council on the enſuing ſettlement, ſtating ſuch remarks and propoſitions upon this ſubject, as they may deem neceſſary for the information and deciſion of the Governor General in Council.

19. The orders of the Board of Revenue for the formation of the ſettlement are to be always iſſued ſo as to reach the ſeveral Collectors before the commencement of the new year, and are to be executed with all poſſible diſpatch; and as ſoon as the whole is completed, the Board are required to lay it before the Governor General in Council with a report and explanation of the ſettlement of every diſtrict, particularly pointing out any remiſſion or increaſe on the rental of the preceding year, with the cauſes thereof.

20. If the tranſmiſſion of this account and report ſhould be delayed in conſequence of the noncompletion of the ſettlement by any of the Collectors after a period deemed ſufficient, they are to aſcertain the cauſe of ſuch delay and report the ſame to the Governor General in Council.

21. In order however to prevent intermediate delay and inconvenience, the Board of Revenue are required to lay before the Governor General in Council, beſides the general account of the ſettlement as above ordered, two ſeparate accounts thereof; one for the diſtricts which pay according to the Bengal year, and one for the diſtricts which pay according to the Fuſſily and Velayetty year, as they are reſpectively completed.

22. It is to be obſerved as a general principle, that the ſettlement be made by the Collectors under the inſtructions of the Board of Revenue; but if the latter ſhould deem a ſpecial deputation of one of their members, or of any other perſon, neceſſary to form the ſettlement of any particular diſtrict, they are to propoſe it to the Governor General in Council with their reaſons.

23. The Board are authorized to grant the annual Amilnamahs to the renters, in all cases where the ſettlement ſhall have been confirmed by the Governor General in Council.

24. The collections of the Revenues are intruſted to the Collectors; and it is the particular province of the Board of Revenue to ſee that the revenues are received completely by the ſtipulated periods, or that ſolid and ſatisfactory reaſons are aſſigned by the Collectors for any delay or deficiency.

25. The power of coercion over the renters alſo reſts with the Collectors as preſcribed by the Regulations for their guidance: but the Board of Revenue are to take care that ſuch powers are duly enforced, and to iſſue ſuch further orders upon this ſubject, as the caſe may require, within the authority veſted in them.

26. The Board of Revenue are authorized to grant temporary ſuſpenſions of the demands for rent for ſuch reaſons as they may deem ſatisfactory; immediately reporting the ſame, with the circumſtances requiring it, to the Governor General in Council: but they are to grant none beyond the current year.

Towjee or monthly Accounts of the Collections.

27. The Towjee or monthly accounts of the demands receipts and balances, being received from the Collectors, and the uſual abſtract ſubmitted to the Board of Revenue on or before the laſt day of each ſucceeding Bengal month, they are required immediately to take into conſideration the report hereon, and to iſſue ſuch orders upon it as they may deem neceſſary, and to continue their meetings daily for this purpoſe (Sundays excepted), until orders ſhall have been iſſued upon the whole; which they are then to report to the Governor General in Council with the leaſt poſſible delay.

28. That the Board of Revenue do require from the Collectors of thoſe diſtricts, where the rents are received according to the Bengal, Fuſſily and Velayetty years reſpectively, together with their Towjee accounts for Poos and Jeyte, a particular account of the revenue of the whole year, the collections to the end of theſe months, the balances remaining, and the ſums expected to be outſtanding at the end of the year, with full explanations on the ſubject of the latter, and their opinion as to the period when they will be realized, the meaſures which they have adopted or propoſe to adopt for this purpoſe: this account to be made the foundation of the application ordered in the 18th article, and this rule to be inſerted as a part of the general Regulations for the conduct of the Collectors.

Arrears of Revenue.

29. If notwithſtanding the orders of the Board of Revenue for the exerciſe of the coercion enjoined over the renters, any arrear of revenue ſhould remain on the laſt Kiſt but one of the year, which the Board of Revenue think unlikely to be collected by the

cuſtomary modes of demand or coercion, they are to report the ſame to the Governor General in Council, with ſpecific propoſitions for the recovery of the amount or with their reaſons for propoſing to ſuſpend or remit the ſame.

30. No remiſſions of balances are to be granted without the ſpecial authority of the Governor General in Council; and no pleas for remiſſion are to be reported to the Governor General in Council for deciſion until the ſame ſhall have been fully inquired into, either by the officer on the ſpot, or by a Commiſſioner to be deputed for this purpoſe when judged neceſſary, excepting in trivial caſes where the expences of ſuch deputation would exceed the remiſſion applied for.

Sale of Lands.

31. The Board of Revenue are not authorized to order the ſale of lands or property real or perſonal, in liquidation of balances, without the ſpecial ſanction of the Governor General in Council; and all propoſitions for the exerciſe of this meaſure are to be accompanied with an accurately adjuſted ſtatement of the balance, the pleas aſſigned by the renters for the non liquidation of it, and the reaſons of the Board for the propoſition. After obtaining the ſanction of the Governor General in Council, the Board are to aſcertain to the utmoſt of their power the real aſſets of the land to be ſold, if a portion of a Talook or Zemindarry; and, having adjuſted a reaſonable revenue payable to Government, they are to adverti[illegible] the ſale on a fixed day for one month, after which it is to be made by the Preparer of Reports, and the adjuſted Jumma declared payable to Government for the current year, or to the period of the ſettlement then exiſting throughout the country: provided however that no reduced Jumma ſhall be ſettled without the ſanction of the Supreme Council; and in all caſes where the aſſets of the lands cannot be aſcertained with ſufficient accuracy, the Collector ſhall be required to make a Huſtabood thereof previous to a ſale, during the period of which the lands ſhall remain Khas under his charge. Where an entire Zemindarry, Talook, or other land ſeparately aſſeſſed, ſhall be ſold, it will be ſufficient to diſpoſe of it at the current Jumma liable to alteration in common with other lands.

Accounts of the Settlement Receipts and Balances.

32. The annual account ſettlement receipts and balances of the diſtricts which pay according to the Bengal æra are to be laid before the Supreme Council by the 15th July, and for the diſtricts paying according to the Fuſſily or Velayetty years by the 15th December, and a general complete account of the whole by the laſt day of December in every year, with full explanations of the balances, and the opinion of the Board of Revenue upon ſuch as they deem recoverable and irrecoverable. For the greater perſpicuity the Board of Revenue, in their monthly and annual accounts of the ſettlement and balances, are to inſert ſeparately the diſtricts paying according to the above æras.

Additional Orders, Applications for Certificates.

33. The Board of Revenue, on the firſt day of every month, are to make application to the Governor General in Council in their Public Department for an order upon the Treaſury, and for a warrant for the iſſue of certificates for the amount which they may conceive will be neceſſary to defray ſuch diſburſements as may be required to be made either in caſh or certificates for their department in the courſe of the month, accompanying ſuch applications with a ſtatement of the particulars, exhibiting the purpoſes for which ſuch ſupplies are required; the orders and warrants iſſued in conſequence, to be lodged with the Sub-treaſurer, as the authorities for making ſuch payments, and for iſſuing ſuch certificates as may be required by the Board.

34. The Board of Revenue are to grant drafts and orders upon the Sub-treaſurer for the payment of money and for the iſſue of certificates, ſpecifying the number, date, and amount either of the order or the warrant on account of which they may be granted.

Limitations of the Expences of Eſtabliſhment or Contingencies.

35. That the Board of Revenue be not allowed to authorize any increaſe of eſtabliſhment whatever, nor any extra charge exceeding the ſum of 100 Rupees.

36. That whenever any applications are made to them for any increaſe of eſtabliſhment, they do require in the firſt inſtance the moſt ſatisfactory reaſons and explanations in ſupport of the increaſe applied for, previous to their reference thereof, and report thereon, to the Governor General in Council.

37. That the Board of Revenue do prepare an account every ſix months of every addition to every eſtabliſhment under their department, quoting oppoſite to it the order and date of it; beginning the firſt account with the eſtabliſhments as they ſtood on the 1ſt of November laſt.

38. That they alſo lay before the Board every ſix months a liſt of all contingent charges paid by order, with the order itſelf and date of it quoted; commencing from 1ſt November laſt.

Audit of Accounts of Collectors.

39. The Auditor is to lay monthly before the Board of Revenue his audit of the accounts of the Collectors for the preceding month; and they are immediately to take the ſame into conſideration and tranſmit it to the Governor General in Council with their opinion upon any charges not allowed by the eſtabliſhment or ſpecial authority.

Miſcellaneous Orders.

40. The Board of Revenue are authorized to grant temporary leave of abſence to any Collector or to leave his ſtation upon reſignation, but not in the latter caſe until he ſhall

have delivered over to his ſucceſſor or Aſſiſtant complete charge of his truſt, and upon due notification thereof except in caſes of urgent neceſſity.

41. They are alſo authorized to allow a Zemindar, Talookdar, or other landholder, to mortgage his land as a ſecurity for loans or diſpoſe of a part thereof or the whole by ſale, directing the tranſaction to be regiſtered by the Sudder Canongoes. They are however to diſcourage ſuch tranſactions as much as poſſible, and previous to giving their ſanction thereto, are required in every caſe to obtain the beſt poſſible evidence that the mortgage and obligation for the loan are entered into, with the free conſent of the proprietor, and that the application for the ſale is voluntary; they are at all times alſo to take eſpecial care that by ſuch mortgage or ſale the dues of Government be not left inſecure, and that no loſs be incurred by the transfer either of a current revenue or paſt arrears. If any land without the limits of Calcutta, the property of perſons amenable to the juriſdiction of the Supreme Court of Judicature, ſhould be ſold by the Sheriff or advertiſed for ſale, the Board of Revenue are to report the ſame to the Supreme Council.

42. The Board of Revenue are authorized to allow the Collectors and their Aſſiſtants to purchaſe and occupy ground for the erection of buildings for their convenience, with the conſent of the proprietors, but no further than ſhall be neceſſary for that purpoſe.

43. They are alſo authorized to grant advances of Tuccavy to the renters or cultivators, where it is eſſentially neceſſary, and where the ſettlement is annual, recoverable as early as circumſtances will admit in proportions not exceeding five per cent on the rents of the lands payable to Government, reporting all ſuch inſtances to the Governor General in Council: where a larger ſum is wanted, his ſanction muſt be previouſly obtained. The intereſt taken on ſuch advances to be one per cent per menſem, unleſs by the uſage of any diſtrict a cuſtomary rate be leſs, in which caſe it is to be preferred; or unleſs peculiar diſtreſs ſhould require an indulgence.

44. That the Board of Revenue be further prohibited from authorizing or performing, either individually or collectively, any of the acts or authorities following, unleſs with the ſpecial ſanction of the Governor General in Council.

45. To publiſh any proclamation or order which may in any ſhape affect the intercourſe of this Government with foreign ſtates, or the general conſtitution of the Government of this country; to be concerned either directly or indirectly in any trade or commerce or in any houſes of agency, or to be concerned in the direction or management of any bank or in any tranſactions for borrowing or lending money with any native officer under the Revenue Department or any renters or perſons reſponſible for the revenue; to give any land in farm to any European directly or indirectly, or accept the ſecurity of a European for any renter; to grant or to confirm any grants of Malguzaree or free lands; to confirm the ſucceſſion of any perſon to ſuch lands; to continue the penſion of any de-

certified officer or pensioner to his family; to fix the permanent Allowance of any district or authorize new Pottahs for the same; to enact any new general Regulation whatever.

46. The President at his option, or one of the Members, is once in every three months to visit the Madrissa and to report the Board how far it is kept in proper repair, whether the full number of students be maintained, if they regularly receive their due allowances, if the superior performs the duties of his office, and generally, if the purposes of the institution are preserved. This report to be submitted quarterly, with any propositions that the Board may deem expedient, to the Governor General in Council.

47. They are in all cases where contracts have been entered into for Poolbundy repairs, or for other services, to transmit due notice of the approaching expiration of the same to the Governor General in Council for such instructions as may be requisite, accompanying such reference with any propositions deemed necessary.

48. The Board are to accompany all recommendations of Collectors or other officers to the Governor General in Council with a recapitulation of their services.

49. They are to transmit all original acknowledgments given for places restored to foreign nations, to the Governor General in Council in the Secret and Foreign Department.

50. They are to cause separate accounts to be kept of all expences incurred in reducing rebellious Zemindars and others, with a view of obtaining reimbursement from the offenders.

51. On information of the death of any Zemindar, they are to cause a statement of his family to be prepared by the Canongoes and to transmit a copy thereof, with such information as may be communicated by the Collector, to the Governor General in Council.

52. The Board are required to direct and confirm invariably the resumption of all lands alienated from the general assessment without the express authority of the Governor General in Council since the 8th of June 1787, and to make a report of such other alienation as may come to their knowledge since the date of the Dewannee grant on the 19th August 1765.

53. They are to receive such extracts of orders from the Honorable the Court of Directors as relate to the accounts of their department, from the Accountant General, to whom the whole are referred for distribution.

54. They are to send copies of all contracts to the Governor General in Council, in order that the same may be forwarded to the Honorable Court of Directors.

55. Whenever the Board have occaſion to refer to the Records of the Governor General in Council in the Revenue Department before the inſtitution of the Committee of Revenue in the year 1781, they are to apply for ſuch to the Governor General in Council; or their Secretary is to apply for them to the Secretary General, and whenever any Member of the Board wiſhes individually to refer to theſe records, he is to make application to the Secretary General, who has a diſcretional authority to furniſh them.

56. Whenever the Board ſhall find it neceſſary to detach any Sepoys from the Preſidency for ſeizure or eſcort of priſoners, or other public duties, they are, if the nature of the ſervice admit of attention to official forms, to apply to the Governor General in Council for them; if otherwiſe, their Preſident ſhall make a written application ſpecifying the nature of the ſervice to the Commander in Chief, who will thereupon iſſue the neceſſary orders for the purpoſe.

Rules for the Conduct of Official Buſineſs.

57 That the Board of Revenue ſhall aſſemble on two fixed days in every week, and as much oftener as the exigency of the buſineſs ſhall require: and that two Members ſhall form a Board.

58 That extraordinary meetings ſhall be held whenever the Preſident may deem it neceſſary, and for this purpoſe he ſhall give orders to the Secretary, who ſhall ſend a ſummons to ſuch of the Members.

59 If any Member of the Board ſhould have any material buſineſs to lay before them, or communications to make to them, which cannot be done on the uſual days of meeting, he ſhall ſignify this to the Preſident and requeſt him to order an extra meeting to be ſummoned, and the Preſident is enjoined to comply with the application. They ſhall keep regular minutes of their proceedings, and report to the Supreme Council all ſubjects of importance which may require their ſanction or ſpecial inſtructions, before the execution of any final reſolution on them.

60. The Preſident is the proper judge of the importance of the buſineſs for deciſion, and reſts with him to preſcribe the ſelection and arrangement of it for the conſideration of the Board. After the papers have been read, he ſhall propoſe ſuch reſolutions upon them as he may deem proper for the conſideration of the Board at large, or he may ſtate ſpecific queſtions for the opinions of the Members, beginning with the junior Member, whoſe opinion ſhall be firſt recorded.

61. After either of theſe forms have been attended to, any minutes or ſuggeſtions from any Member will regularly follow, and the reſolutions propoſed muſt be confirmed, or the queſtions be determined by the majority of opinions.

62 If any new propoſition relating to the buſineſs under debate ſhall ariſe from the minutes or ſuggeſtions of any Member, it is to be diſcuſſed after the firſt reſolution or

queſtion has been diſpoſed of, and for this purpoſe the Preſident ſhall preſent the ſame for the conſideration of the Board.

63 But if the Preſident, after the papers have been read, ſhould decline propoſing any reſolution and queſtions upon them for the conſideration and determination of the Board, it reſts with any Member to propoſe or to deliver to the Secretary the reſolutions or queſtions which he wiſhes to be conſidered, and it is the Secretary's duty to read them that they may be decided upon, the junior Member giving his opinion to be firſt recorded and the other Members theirs according to their ranks, the Preſident delivering his ſentiments the laſt.

64. In the caſe of difference of opinion, where voices are equal, the Preſident ſhall have a caſting vote.

65. The reſolution of the majority of the Board in caſe of diſſentient voices ſhall be carried into execution, unleſs it ſhall be agreed by the majority to poſtpone it; but the proceedings of the Board are to be referred to the Governor General in Council, at the motion of any Member.

66. All ſuch references ſhall be accompanied with a letter ſtating the ſubſtance of the ſubject diſcuſſed, with diſtinct propoſitions ariſing thereon, from the opinions given, for the deciſion of the Governor General in Council.

67. All diſſents from the reſolution of the majority of the Board ſhall be entered after the reſolutions: but any Member, who records his diſſent from a reſolution of the majority, ſhall be at liberty to deliver the reaſons for that diſſent at the next or a ſubſequent meeting of the Board; any Member alſo, acceding to, or diſſenting from, any propoſed reſolution, may ſimply record his affirmative or negative at the time, and deliver in the grounds of his vote at a ſubſequent meeting: but no opinions ſhall be recorded in the proceedings of the day unleſs delivered before the adjournment of the Board, and no alterations made in opinions replied to, without general conſent. For the aid of eſſential diſpatch, the ſignatures of two Members to any letter ſhall be deemed ſufficient, and all letters ſhall be invariably ſigned when preſented without any unneceſſary detention. Extracts of proceedings and other encloſures duly examined and atteſted ſhall not be delayed for the peruſal of the Members, the Secretary being anſwerable for the accuracy of the extract and the Examiner for the correctneſs of the copy.

68. If any particular buſineſs ſhould occur to any Member, which is not immediately before the Board, among the current papers ſelected or expreſsly referred to therein, he ſhall communicate the ſame to the Preſident, that it may be brought forward at a proper

time, according to his judgment of its importance, on a comparison with that of the subjects selected for consideration; and if it should not be discussed at that meeting, the President is required to introduce it as the first subject of discussion at the next.

69 That the Board of Revenue observe it as an invariable rule to acknowledge the receipt of all letters from the Supreme Council, reciting generally the substance of the letters acknowledged and the steps taken in consequence.

70. With respect to references in general to the Supreme Council the following rule is to be observed, that all papers or accounts referred for orders be accompanied by a letter explaining summarily the business referred and invariably the opinion of the Board thereon.

71. The Board are to make it an invariable rule to accompany all papers sent to the Governor General in Council in the country languages with English translations.

72. That the Board of Revenue take particular care to preserve their records complete, and for this purpose that they direct an annual list to be formed of all the English records in their office not entered in their books of proceedings, both of which are to be registered numerically according to their dates of receipt or record.

73. No Members of the Board of Revenue, excepting the President, shall be allowed to have copies of any of the records excepting of his own minutes, nor shall any officers of the Board have copies of any of the papers for his own private use.

74. Further, for the purpose of preserving the records complete and ready for inspection at all times, it is recommended to the Members to attend at the house where the Board assemble, for the purpose of consulting the records whenever they may find it necessary: but if any Member of the Board should occasionally wish to peruse any of the records at his own house, he may do it with the consent of the Board, to whom he shall signify his wish at their meeting; receiving them from, and returning them to, one of the Secretaries, who is required to keep a memorandum of their delivery and return.

75. It is in the option of the Board to give or refuse acquiescence on such application, which the Member making it may record or not as he thinks proper; the object of this restriction being to prevent the loss of the records, or any obstruction to the official business by an unseasonable removal of them.

76. That the proceedings held by the Board of Revenue on the different subjects of land rents (including duties hitherto combined with them), salt, customs, and opium, be kept separate and distinct for the sake of perspicuity and easy reference; all proceedings not immediately relating to the above subjects to be entered miscellaneously as at present.

77. On the 30th of each ſucceeding calendar month, the Board of Revenue are to ſubmit to the Governor General in Council one complete ſet of their proceedings for the preceding month with the uſual index, ſummary, and appendix, and as ſoon afterwards as poſſible, a ſecond complete ſet to be forwarded to the Honorable Court of Directors. The ſummary to be drawn out as heretofore under the diſtinct heads of the Collectorſhips and ſeveral offices ſubordinate to the Board, with the references to the dates of the conſultations; but to unite the proceedings of each month into a connected narrative ſo as to exhibit in twelve numbers a compendious and clear recital of the buſineſs of each principal office for a year.

Powers and Privileges of the Preſident.

78. That excluſive of the authority veſted in the Preſident of the Board of Revenue by any of the rules here laid down, he be declared to poſſeſs the following ſpecial powers and privileges.

79. To iſſue of his own authority during the intervals of the meetings of the Board, ſuch occaſional or ſubſidiary orders as ſhall be neceſſary for carrying into execution any exiſting reſolutions of the Board, or for perſonal attendance, or for preparing materials for the Board's conſideration, or for any purpoſes which the Board ſhall judge it adviſable to commit to his ſeparate charge as their executive Member.

80. All officers of the Board of Revenue, European, or native, are required to obey the orders of the Preſident in all matters where he is authorized to iſſue them.

81. The Preſident of the Board is empowered to refer complaints and make applications and requiſitions to the Collectors and other ſubordinate officers, for papers and accounts for the uſe of the Board or the Khalſa, or for the attendance of perſons at the Khalſa or at the Board.

82. He is alſo authorized to have copies of any of the records, or to have the records themſelves ſent to him whenever he may require them, one of the Secretaries in the latter caſe minuting their delivery and return.

83. The Preſident is authorized to adjourn the meeting of the Board on one of the fixed days to the ſucceeding, in caſe he ſhould from indiſpoſition or other cauſe be unable to attend, but not to make two adjournments ſucceſſively. If unable to attend on the ſecond day fixed for meeting, the ſenior Member preſent is to preſide in his ſtead.

84. The Preſident is authorized to ſit at the Khalſa, and to hear and receive petitions and complaints, to refer them to the Preparer of Reports, or Collectors, or other

ſubordinate officers for inquiry and report, or to inquire into them himſelf ſhould he think proper.

85. Whatever powers are here declared to be veſted in the Preſident, are meant alſo to be veſted in the acting Preſident for the time being; and in caſe of the abſence of the Preſident from ſickneſs or any other cauſe, the ſenior Member preſent is to preſide and diſcharge all his functions.

86. Every officer of the Government is to conſider the intereſt of the whole, and is as far as depends upon the authority veſted in him to promote the ſucceſs of the buſineſs in each department by ſuch accommodation as the Regulations allow.

87. Any former orders and inſtructions on the ſame points, to which the foregoing Regulations relate, are hereby ſuperſeded and revoked: but in all caſes, where the preſent rules do not apply, ſuch antecedent orders, as may have been iſſued and are not repealed, be alſo conſidered in force, and obſerved accordingly. In order, however, to bring the whole into one code, any ſuch orders, as they occur, are to be reported to the Governor General in Council for reviſion.

88. In order to reviſe and correct the ſubſidiary Regulations, for the conduct of the ſalt Comptroller, and Collectors of Cuſtoms, the Board are required to collect the rules now exiſting, for the guidance of theſe officers reſpectively, and ſubmit the ſame, with ſuch remarks and amendments as they appear to require, for the conſideration and approval of the Governor General in Council.

89. If any of the above rules ſhould not appear ſufficiently clear or preciſe, the Board of Revenue are required to addreſs the Supreme Council for an explanation; or, if they ſhould have reaſon to apprehend any particular inconvenience likely to ariſe from a literal adherence to any part of them, they are to ſtate the grounds of ſuch apprehenſions for the deciſion of the Governor General in Council.

REGULATIONS *for the Office of* PREPARER *of* REPORTS *of the* REVENUE DEPARTMENT, *23d May* 1788.

That the Preparer of Reports, on receiving charge of his office, do take and ſubſcribe the following oath.

"I A. B. Preparer of Reports to the Revenue Department, do ſwear, that I will, to the beſt of my abilities and judgment, faithfully diſcharge the duties of my ſaid office, and will not receive from any Zemindar, Talookdar, farmer or other landholder, any preſent or gratuity, nor acquire or receive any lucrative advantage from my office, but ſuch as

ſhall be publicly allowed me by the Governor General in Council, or by the Board of Revenue, ſo help me God "

2. That he be required to keep a regular diary of his proceedings in Engliſh and Perſian, and be allowed the uſe of a public ſeal, whereon ſhall be engraved the name and deſignation of his office.

3. That it be his duty to receive and conſider all petitions preſented to him by natives or referred to him by the Members of Government, and the Preſident, or Acting Preſident of the Board of Revenue, and that he do proceed therewith in the following manner; that is to ſay: 1ſt In all caſes where the petitions, thus preſented or referred, ſhall relate to claims, actions, cauſes, or diſputes, the cognizance of which may belong to the Provincial Courts of Juſtice and Collectors of Revenue, he ſhall (unleſs otherwiſe ſpecially directed as herein after provided) refer and tranſmit the ſame to the proper juriſdictions, provided always, that if any ſuch complaint ſhall appear to be frivolous, vexatious, or groundleſs, or to have been already inveſtigated and determined by a Court of competent juriſdiction, or where the cauſe of action ſhall have ariſen before the 19th of Auguſt 1765, it ſhall be lawful for the Preparer of Reports to diſmiſs and reject the ſame; and in all ſuch caſes, the reaſons for ſuch diſmiſſion and rejection ſhall be ſignified and explained to the party by whom ſuch complaint may have been preferred, and duly minuted and recorded by the Preparer of Reports on his proceedings. 2d Whenever any petition preſented or referred, as aforeſaid, ſhall ſet forth or alledge any matter of complaint againſt any European or native officer of Government and ſhall not have been ſpecially referred for inquiry, he ſhall immediately report the ſame to the Governor General in Council, or to the Board of Revenue, (as the caſe may require) for their orders: and in all ſuch caſes it ſhall not be lawful for him to exerciſe any diſcretionary power with regard to the diſmiſſion of any ſuch complaint, or ſuſpending the report directed to be made as aforeſaid: provided nevertheleſs, and it is hereby declared, that this rule ſhall not extend to any complaint againſt, or on account of, any deciſion, judgment or decree of any Judge, Magiſtrate or revenue Collector, having competent authority to paſs and enact the ſame; but that in all ſuch caſes it be lawful for the Preparer of Reports to diſmiſs the complaint and refer the party for redreſs either to the Sudder Dewannee Adawlut, or to the Board of Revenue, according to the rules laid down for the proſecution of appeals in the Judicial and Revenue Regulations.

4. That it further be the duty of the Preparer of Reports to hear, inquire into, and report on any petition, cauſe of action, ſuit, or matter of complaint whatſoever, which ſhall, for that purpoſe be tranſmitted to him by the Governor General in Council; and alſo to receive, inveſtigate and report on any matter of complaint, claim, or diſpute relating to

the public revenues, which shall be specially referred to him for that purpose by the Board of Revenue

5. That in order to enable the Preparer of Reports effectually to execute the duties here assigned and committed to him, he be empowered to summon, from time to time, any natives whose attendance may be necessary, either as parties to any suit, or as witnesses therein, and to call for such parties, records, and documents as may be required in the course of business, and that he be also authorized, whenever he may find it eligible, or where the case may demand more immediate dispatch, to transmit written interrogatories to the Judges of the Provincial Courts of Justice, and Collectors of Revenue, and to require them by letter to examine, on oath or otherwise, as the nature of the case may require, any natives named in such letter, on the said interrogatories, and to return his or their depositions duly signed and authenticated, at the time required by such letter, and that he be further authorized to make such other requisitions to the Judges and Collectors aforesaid for information, evidence, and the like, as he may find necessary in the course of his duty, so that the same be made according to the true intent and meaning of these Regulations.

6. That the powers and authorities hereby given and deputed shall in no wise extend, or be construed to extend, to authorize the Preparer of Reports to admit or receive any complaint from any other person than the plaintiff, or any answer from any other person than the defendant, except such person as shall produce a Vakalutnama, or written authority signed and sealed by the party for whom he may appear, in the presence of two witnesses, constituting him Vakeel of such party; and if he be on the part of the plaintiff, authorizing him to prefer and prosecute the complaint, and if for the defendant, to defend; and unless the party executing the same shall thereby undertake to abide by and confirm all such acts, matters, and things which his Vakeel, so constituted shall do or undertake in his behalf, as if he himself had been personally present and consenting: and no act whatsoever shall be done or admitted, in any stage of the cause, but in the presence of the plaintiff or defendant, or the person by them respectively authorized as aforesaid. Provided nevertheless if due notice be given to any party, or his Vakeel, of the examination of any witness or witnesses, and if such party or his Vakeel shall not attend at the time of such examinations, the Preparer of Reports shall, and is hereby authorized to, proceed to the examination of such witness or witnesses as if such defaulting party or his Vakeel, had been personally present and assisting.

7. That every summons, or other process, and every order whatsoever of the office of Preparer of Reports, to be served or executed on any person whatever, be written in the Persian or Bengal language, authenticated by the signature of the Preparer of Reports and the seal of his office.

8. That when the attendance of any perſon or perſons, as parties to any ſuit, or as witneſſes therein, who may have any concern in the collection or management of the public revenues ſhall be required, the Preparer of Reports ſhall addreſs the Collector in whoſe juriſdiction ſuch perſon or perſons may reſide, requiring him to order their attendance; and it ſhall be the duty of ſuch Collector to attend to ſuch requiſition, without any further delay than may be abſolutely neceſſary to provide for the ſecurity of the revenues during ſuch perſon's abſence.

9. That if any perſon or perſons, whoſe attendance ſhall be required in any ſuit, cauſe, or inveſtigation, after having been duly ſummoned, and a reaſonable ſum of money tendered for his or their travelling expences, ſhall not attend, or attending ſhall refuſe to give evidence, or ſubſcribe his or their depoſitions, the Preparer of Reports may, in the firſt caſe, iſſue an order to ſeize and bring ſuch witneſs or witneſſes not attending, to the Khalſa, and ſhall exact from ſuch witneſs or witneſſes not having attended, or refuſing to give evidence, ſuch fine or fines as the Governor General in Council or the Board of Revenue may think proper to inflict, and the Preparer of Reports ſhall adminiſter to ſuch witneſs or witneſſes whoſe evidence may be required in any cauſe, ſuit, or inveſtigation, ſuch oaths, as according to their different religions and perſuaſions ſhall be deemed moſt binding on their conſciences; provided that where any Hindoo or Muſſulman witneſſes ſhall be of a rank, caſt, or quality, which from the prejudice of the country may render it improper to adminiſter an oath, the Preparer of Reports may diſpenſe with their being ſworn, on their ſubſcribing a declaration to the following effect "I will faithfully anſwer ſuch queſtions as ſhall be put to me in the cauſe now under examination: I will declare nothing not warranted by the truth: if I declare any thing not warranted by the truth, I ſhall be deſerving of puniſhment from the Almighty." And the teſtimony and depoſition of ſuch witneſs, ſo ſubſcribing, ſhall be received as good and ſufficient evidence.

10. That if any defendant in any cauſe, againſt whom a ſummons ſhall have iſſued, ſhall abſcond, or be not after diligent ſeach to be found, the Preparer of Reports ſhall cauſe a notification, in the Perſian and Bengal languages, to be affixed in ſome conſpicuous place at the Khalſa, ſignifying that if the party ſhall not appear within a limited time (not leſs than ten days from the date that the ſame ſhall be fixed up) the cauſe will be inveſtigated and reported without the anſwer or appearance of ſuch party; and the Preparer of Reports ſhall cauſe a copy of the notice to be read and proclaimed in the village or place where the party may have laſt reſided, on three ſeveral days within the time limited by ſuch notice; and if the party, after ſuch notice and proclamation, ſhall not appear, or having appeared ſhall refuſe to make anſwer, the Preparer of Reports ſhall proceed, ex parte,

to inquire into and report on the cauſe, as if ſuch party had appeared, anſwered, and entered into proof.

11. That if any Zemindar, Talookdar or other landholder, or any perſon or perſons whatſoever, ſhall reſiſt, or cauſe to be reſiſted, any proceſs or order which ſhall at any time iſſue from the office of Preparer of Reports, on due proof being made thereof, by oath, the Preparer of Reports ſhall report the conduct of ſuch landholder, or other perſon or perſons, guilty of ſuch offence, to the Governor General in Council or to the Board of Revenue, who will thereupon inflict ſuch exemplary puniſhment on the party or parties ſo offending as the nature of the caſe may require.

12. That if any witneſs, or other perſon, ſhall be guilty of wilful and corrupt perjury in any cauſe or matter depending before the Preparer of Reports, it be competent to him to commit ſuch perſon to cloſe cuſtody, and thereupon to report the caſe to the Governor General in Council; and on receipt of the inſtructions of the Governor General in Council, he ſhall, with all convenient ſpeed, ſend ſuch perſon to the neareſt Foujdarry Court, together with the evidences which may be neceſſary for his conviction, and written charges authenticated by his official ſeal and ſignature, to the end that ſuch perſon may be proceeded againſt according to law.

13. That the Preparer of Reports be inveſted with the general charge and ſuperintendence of the Khalſa records, comprehending the Dewannee, the Canongoee, the Nuſkha, and the Ameeny Dufters, and that the conduct of the officers of theſe departments be accordingly ſubject to his inſpection and controul. That the Preparer of Reports be enjoined to take all poſſible care of the records and muniments of theſe departments, and to require regular reports from the reſpective officers thereof of all omiſſions, defaults and irregularities which may happen with reſpect to the ſtyle or form, or in the diſpatch, and tranſmiſſion, of the neceſſary accounts and papers from the provincial ſtations; and on the receipt of ſuch reports, he is hereby authorized and directed to report the ſame to the Preſident of the Board of Revenue for the time being, in order that application be made to the Provincial Collectors to whoſe departments they may relate or appertain, to amend ſuch omiſſions or irregularities, and prevent ſimilar defaults in future.

14. That it be the duty of the Preparer of Reports to prepare and regiſter all Zemindarry, Chowdry, Talookdary, and other Sunnuds or grants, and the annual Amulnamahs, or deeds of ſettlement, according to the eſtabliſhed forms and precedents thereof, and that in this branch of his duty he be ſubject to the orders of the Governor General in Council only.

15. That it be moreover the duty of the Preparer of Reports, to make and conduct all ſales of Zemindarry, Chowdry, and other revenue lands, and that he obſerve it as a

ſtanding rule, never to ſuſpend the ſale of any lands upon any plea or objection whatever, preferred by the proprietor or proprietors thereof, or by any other perſon or perſons whatever, after he ſhall have received the orders of the Governor General in Council, or of the Board of Revenue, to diſpoſe of ſuch lands by public auction.

16. That the Preparer of Reports be inveſted with the immediate charge and ſuperintendence of the opium manufacture, ſubject to the controul and authority of the Board of Revenue; and that it be the duty of the Preparer of Reports to receive the opium when manufactured from the contractor, and punctually to report the arrival of every diſpatch to the Board of Revenue; and that on the receipt of the orders of the Board of Revenue or of the Governor General in Council, he do proceed without loſs of time to advertiſe the opium for ſale. That it be alſo his duty to receive the money from the purchaſer and to remit the ſame to the Treaſury, duly reporting to the Board of Revenue all defaults which may happen on the part of the purchaſers with reſpect to non clearance and the like.

17. That the advances for the proviſion of opium be iſſued to the contractor through the channel of the Preparer of Reports, by bills of exchange to be drawn by the Board of Revenue on the Collectors of the different diſtricts where the opium is manufactured, and endorſed by the Preparer of Reports to the contractor or his agent; and that it be the duty of the Preparer of Reports to controul the accounts of the contractors for the time being, and to direct his attention to the management and conduct of the buſineſs in general, to the end that the terms of the contract, and the Regulations of Government, may be duly fulfilled and obſerved.

18. That in all caſes where no ſpecific directions are hereby given, the Preparer of Reports do apply for inſtructions to the Governor General in Council, or to the Board of Revenue; as the nature of the caſe may require.

12th November, 1788.

Whenever the Acting Preparer of Reports may have occaſion to require the attendance of perſons in the cuſtody of any of the Judges and Magiſtrates, ſpecial applications are to be made to the Governor General in Council for that purpoſe, that the neceſſary orders for procuring their appearance may be iſſued through the regular channels.

The Rules and Regulations relative to the decennial ſettlement of Behar, Oriſſa and Bengal, paſſed for theſe provinces reſpectively, on the 18th September 1789, *25th November* 1789, *and 10th February* 1790, *having been ſubſequently modified and enlarged by rules paſſed on various dates, an amended code was approved by the Governor General in Council on the 2d November* 1791, *and will be inſerted in its place from the printed copy publiſhed in* 1793.

Regulations *for the* Guidance *of the* Board *of* Revenue *and* Collectors, *relative to* Sayer *or* Internal Duties, *Issued by the* Governor General *in* Council *on the* 11*th of* June, 1790.

The impoſition and collection of internal duties have from time immemorial been admitted to be the excluſive privileges of Government, not exerciſable by any ſubject without its expreſs ſanction, and conſequently it has ever been a well known law of the country, that no perſon can eſtabliſh a Gunge, Haut, or Bazar, without authority from the governing power. Grants from the Sovereign or his Repreſentative, delegating this authority, as well as univerſal tradition, prove that this right was aſſerted by the Muſſulman Government, and the orders of the Court of Directors, as well as repeated declarations and promulgations by their officers on the ſpot, demonſtrate that the ſame has been conſtantly aſſerted by the Company.

It has however been hitherto judged adviſable to leave the exerciſe of this privilege to the landholders, Government contenting themſelves with impoſing general Regulations for the prevention of undue exactions, and occaſionally interfering to modify or aboliſh particular impoſts as they have occurred, or been diſcovered: experience having at length proved that prohibitory orders to prevent oppreſſion have not been attended with the deſired effect, it has been determined to take from the landholders the power of impoſing and collecting duties altogether, and to exerciſe this privilege hereafter immediately and excluſively on the part of Government.

The conſequences of this meaſure are expected to be the effectual abolition of many vexatious duties on articles of internal manufacture, and conſumpt, as well as on exports and imports; the ſuppreſſion of many petty monopolies and excluſive privileges, which have been ſecretly continued to the great prejudice of the lower orders of people; and, as the natural effects of the reform of theſe abuſes, benefit to trade, and eaſe to the inhabitants of the country in general.

A further conſequence expected from the exerciſe of this privilege, is a future opportunity of increaſing the public revenue, in caſe the exigencies of Government ſhould render it indiſpenſably neceſſary, without increaſing the land-tax: but this is at preſent a ſecondary expectation only. The primary objects intended are thoſe firſt ſtated. The aſſiſtance of commerce, and general relief of the inhabitants.

After this explanation of the ends propoſed by the reſumption of the privilege of collecting duties from the landholders, it is ſcarcely neceſſary to add that Government has

no intention to diveſt the landholders of any collections they may have hitherto made, under the denomination of Sayer, not in reality a duty, but a conſideration for the uſe of ground, ſhops, or other buildings belonging to them. As however the rent of Golahs and Doknauns has in general been received by the officers employed to collect the Gunge, Haut, and Bazar duties, and has frequently been let in farm with them; and as the rent paid for orchards, paſture grounds and fiſheries, has been ſometimes included in the Sayer, under the denominations of Phulkur, Bunkur, and Julkur, the Board think it adviſable to declare expreſsly, that it is by no means their intention to include in the reſumption of the Sayer, now ordered, the monthly or annual rents paid for ground, or buildings erected thereon of whatever deſcription, or the Phulkur, Bunkur, and Julkur, ſuch rents being properly the private right of the proprietors, and in no reſpect a tax or duty on commodities, the excluſive right of Government.

It remains only to ſtate the principles on which a compenſation ſhall be made to the parties affected by the diſcontinuance of the privilege hitherto exerciſed by them of collecting duties.

It having never been lawful to exerciſe this privilege without the ſanction of Government, it follows, of courſe, that all inſtances of the exerciſe of it without ſuch ſanction have been illegal uſurpations, and the uſurpers, ſo far from having any juſt claim to a compenſation, might, without injuſtice, be made anſwerable for the amount unlawfully received by them. As however the Company have limited their retroſpection in ſimilar caſes to their acceſſion to the Dewannee, this principle ſhould be adopted only with regard to collections commenced ſince that period.

Government having alſo always reſerved to itſelf a power of aboliſhing all duties deemed oppreſſive, it follows that all collections, made contrary to any prohibitory orders of Government, have been unauthorized exactions, for which no compenſation is due to the parties who have benefited by them.

The condition of particular perſons reduced to diſtreſs by the deprivation of the income they received from duties, though unauthorized, is a ſeparate conſideration, unconnected with the queſtion of right; and may be attended to as caſes occur.

The holders of Lakheraj land, or land exempted from the public revenue, who have received the ſanction of Government to the eſtabliſhment of Gunges, Bazars, and Hauts thereon, or in other words, who have been authorized to exerciſe the privilege of collecting duties thereon, are undoubtedly entitled to a full compenſation for the reſumption of ſuch privilege, adequate to the annual profit they derived therefrom.

The holders of Malguzaree land, or land affeſſed for the public revenue, who have been permitted to collect Gunges, Hauts, Bazar, or other duties thereon, are alſo entitled to a full compenſation for the profits they were allowed to enjoy from ſuch collections; and theſe profits having by a general Regulation been limited to one tenth of their neat receipts, an equivalent to this proportion muſt be conſidered the compenſation due to them.

In purſuance to the principles above laid down, the Board proceed to lay down ſuch rules, adapted to preſent circumſtances, as they judge neceſſary for the immediate guidance of the Collectors and Board of Revenue in carrying the intentions of Government into effect, in ſuch mode as may ſecure the objects intended with the leaſt poſſible injury to the individuals affected thereby.

1*ſt*. That no landholder, or other perſon, of whatever deſcription, be allowed to collect, in future, any tax or duty of any denomination, but that all taxes and duties be hereafter levied on the part of Government, by officers duly appointed for that purpoſe, under ſuch Regulations as may be paſſed for their guidance.

2*dly*. That no monthly or annual payments now made, or which may be hereafter made, for the uſe of land, or houſes, ſhops, or other buidings erected thereon, being clearly of the nature of rents, and not duties or taxes, be underſtood to be within this prohibition, but that ſuch rents be enjoyed by the proprietors entitled thereto as heretofore.

3*dly*. That the Collectors, in reſuming Gunges, Hauts, Bazars, as already ordered, attend carefully to the diſtinctions contained in the two preceeding reſolutions, reſuming univerſally whatever collections come within the firſt, and avoiding generally any reſumption of the rents deſcribed in the ſecond.

4*thly*. That the Collectors appoint competent perſons to the management of the ſeveral Gunges, Hauts and Bazars, within their reſpective juriſdictions, with orders to keep the moſt particular accounts of their receipts during the current year, diſtinguiſhing, as far as poſſible, the articles on which the duties may be collected by them, as well as the nature and rate of each; and with the following general inſtructions, in addition to ſuch as they may, from local circumſtances, think neceſſary.—To diſcontinue all Rahdarry, Chelunta, and other collections of every denomination prohibited by the orders of Government.—To diſcontinue all monopolies and excluſive privileges for the manufacture or ſale of particular articles, and eſtabliſh in lieu thereof, with the ſanction of the Collectors, a moderate duty on ſuch articles, to be levied at the time of manufacture or ſale.—To collect all exiſting duties, as far as may be compatible with theſe principles, according to their preſent rates, to the end of the current year.

5*thly*. That the Collectors, at the end of the current year, tranſmit abſtracts of the accounts delivered by the ſeveral agents employed by them in the collection of duties, with

ſuch remarks as may be neceſſary for full information of the nature of the ſeveral articles of collection, and ſpecific propoſitions for the regulation thereof in future.

6thly. That the Collectors propoſe ſuch eſtabliſhments as they may think neceſſary for the collection of the duties within their reſpective diſtricts for the current year, obſerving therein the greateſt poſſible attention to economy, and that ſuch eſtabliſhments be decided on by the Board of Revenue.

7thly. That the Gunge, Haut, Bazar, and other duties (the Abcaree only excepted), which may be collected during the current year on Lakheraj land, and of which no part has hitherto been received by Government, be, after deducting the amount of the eſtabliſhment approved by the Board of Revenue, paid monthly to the perſons who would have been entitled to receive the ſame in caſe the collection had not been taken into the hands of Government, on receipts for the amount ſo paid.

8thly. That the land revenue be adjuſted, according to the rules already preſcribed for the decennial ſettlement, on the aſſets of the Malguzaree land, excluſive of the duties reſumed; and that, of the Gunge, Haut, Bazar, and other duties, (the Abcaree excepted) which may be collected during the current year on Malguzaree land, or which have hitherto been a ſource of revenue to Government, after deducting the amount of the approved eſtabliſhment, one tenth be paid to the proprietors of the land wherein the duties ſhall be collected, and the remaining nine tenths be carried to the credit of Government. Any diſputed claims to this allowance to be decided on in the firſt inſtance by the Collectors, ſubject to an appeal to the Board of Revenue within the period preſcribed for appeal by the exiſting Regulations.

9thly. That it be notified to all perſons who have hitherto exerciſed the privilege of collecting Gunge, Bazar, Haut, and other duties, whether on Lakheraj or Malguzaree land, that they are at liberty to appoint agents on their parts to keep counterpart accounts of the collections made by the officers of Government during the current year, and that in the event of their appointing ſuch, the Collectors require the officers employed by them to obtain the joint ſignature of theſe agents to the ſeveral accounts tranſmitted by them.

10thly. That the holders of all Gunges, Bazars, Hauts, &c. be informed, it is the intention of Government to make them an equitable compenſation hereafter, adequate to the profit they were entitled to from all duties collected by them with due authority, or by uſage commencing previous to the Company's acquiſition of the Dewannee; and be required, in order to enable Government to determine on the compenſation to be made them, to exhibit before the Collectors within three months from the date of a public notice

to be issued to this effect, the titles by which they have levied the Gunge, Bazar, Haut, and other duties collected by them respectively, or proofs of their having established the same before the Company acquired the Dewannee in August 1765.

11*thly*. That the Collectors, on exhibition of the vouchers and proofs offered in pursuance to this Regulation, or as soon afterwards as circumstances may admit, do enter into a full examination of the same, and transmit their proceedings at large, with a summary, to the Board of Revenue, at the close of the current year, together with the abstracts required in the fifth resolution, adding, in every instance, their opinion how far the right of collection appears to be established, or otherwise. The Board of Revenue, on receipt of these reports, to forward the same, with their opinion, on each case, after requiring any further information they may think necessary, to the Governor General in Council, who will then determine on the right of the several parties to a compensation, as well as on the mode of making the same.

12*thly*. That all persons exacting duties contrary to these Regulations, whether principals or accessaries, be liable to prosecution in the Courts of Dewannee Adaulut, the Judges of which shall hear and determine the cause within ten days after its institution, and, on proof of the exaction, shall decree heavy damages, with all costs, to the party injured, according to the circumstances of the offenders, and enforce the payment thereof by the customary process.

13*thly*. That if any person be now in receipt of pensions for charitable or religious purposes, from the Gunge, Haut, or Bazar duties resumed, the Collectors transmit a list thereof, with a report of the origin and amount of such pensions, and state how far the persons receiving the same are objects of charity, who would be distressed by an immediate discontinuation of the allowances to them respectively.

14*thly*. That these Regulations be not extended to Gunges, Bazars and Hauts, within the limits of the town of Calcutta.

15*thly*. That the Collectors give the strictest attention to the due enforcement of these orders: and that these resolutions, with the preamble, and with Persian and Bengal translations, be printed and circulated throughout the several districts for general information.

SUPPLEMENT *to the* SAYER REGULATIONS *of* 11*th June*, 1790. *Passed by the* GOVERNOR GENERAL *in* COUNCIL *on the* 23*d June*, 1790.

Resolved, that the allowances which may be fixed for the officers appointed on the part of Government to collect the duties in the Gunges, Hauts, and Bazars, in the Malguza-

ree and rent-free lands, for the current year, be paid by Government, and from the collections of the Gunges, Hauts, and Bazars, as directed by the 7th and 8th articles of the Regulations of the 11th Inſtant; and that the Collectors be accordingly directed to pay the amount of the groſs, inſtead of the neat collections, to the holders of ſuch Gunges, Bazars, and Hauts.

ADVERTISEMENT, *ordered by the* GOVERNOR GENERAL *in* COUNCIL, *July* 28, 1790.

The privilege of impoſing and collecting internal duties has been reſumed from the landholders, and taken excluſively into the hands of Government for the purpoſe of reforming abuſes in theſe collections, and thereby affording benefit to the commerce of the country, as well as general eaſe to its inhabitants. For the more effectual attainment of theſe objects, the Governor General in Council has now reſolved that all duties, taxes and other collections coming under the denomination of Sayer, (with the exception of the Government and Calcutta cuſtoms; the duties, levied on pilgrims at Gya, and other places of pilgrimage; the Abcaree, or tax on ſpirituous liquors, which is to be collected on account of Government agreeably to former orders; the collections made in the Gunges, Bazars, and Hauts, ſituated within the limits of Calcutta; and ſuch collections as are confirmed to the landholders, and the holders of Gunges, Bazars, and Hauts, by the publiſhed Regulations of 11th June laſt, namely, rents paid for the uſe of land, or for houſes, ſhops, or other buildings erected thereon; or for orchards, paſture ground and fiſheries, ſometimes included in the Sayer under the denominations of Phulkur, Bunkur, and Julkur); whether made by Europeans or natives, either on their own or the public account, in Gunges, Bazars, Hauts, or other places within the provinces, be forthwith aboliſhed, and that the compenſations to be made in conſequence be regulated by an average of the neat produce ſtated in the paſt accounts for as many years as they can be procured not exceeding ten (excluding therefrom ſuch collections as have been prohibited by Government), and be adjuſted with regard to the collections in Malguzaree and Lakheraj lands reſpectively, according to the principles already laid down in the reſolutions of the 11th ultimo. The Collectors have accordingly been required to withdraw their officers from the Gunges, Bazars, and Hauts, and tranſmit the accounts neceſſary for adjuſting the compenſation without delay, together with the reports before required from them on the titles by which the duties have been hitherto collected by the ſeveral perſons levying them. At the ſame time the Governor General in Council conceiving there may be proprietors of petty Gunges, Bazars, and Hauts, in the Lakheraj lands, whoſe ſubſiſtence has been chiefly drawn from the collections now aboliſhed, and who may be ſubjected to diſtreſs or inconvenience, unleſs ſome proviſion be made for them during the period which

may elapſe previous to the adjuſtment of the compenſation to be allowed them, has inſtructed the Collectors, on proof of the ſituation of perſons ſo circumſtanced, to make them ſuch monthly allowance as may appear advisable, to be deducted from the amount of the compenſation to which they may finally appear entitled; provided that in no caſe the monthly allowance ſo given exceed the eſtimated monthly neat produce of the duties hitherto received by the parties reſpectively.

ADVERTISEMENT *publiſhed on the 17th November* 1790.

The Governor General in Council having on the 3d inſtant, directed that all bonâ fide transfers of landed property, made during the exiſtence of the 53d Article of the Revenue Regulations of the 8th July 1787, be declared valid, although they may not have received the ſanction of the Board of Revenue, as therein required, the ſame is hereby notified for general information.

REGULATIONS *reſpecting* LAKHERAJ LANDS *or* LANDS *paying no* REVENUE *to* GOVERNMENT.—*Paſſed by the* GOVERNOR GENERAL *in* COUNCIL, *on the 1ſt December* 1790.

I. All grants of rent-free land made previous to the 12th Auguſt 1765, the date of the Company's acceſſion to the Dewannee, ſhall be deemed valid, provided the grantee actually and bonâ fide obtained poſſeſſion of the lands ſo granted previous to the date preſcribed, and the lands ſhall not have been ſubſequently reſumed by the officers or orders of Government. If it ſhall be proved that the grantee did not actually obtain poſſeſſion of the lands ſo granted previous to the date of the Dewannee, or that the lands have been ſince reſumed by the officers or orders of Government, the grant ſhall not be deemed valid. In the event however of any claim being preferred to land reſumed by the officers or orders of Government, and of its being proved that ſuch land was held free of any tax previous to the Company's acceſſion to the Dewannee, the circumſtances ſhall be referred for the conſideration and orders of the Governor General in Council.

II. All grants of rent-free land made or confirmed by Government ſubſequent to the 12th Auguſt 1765 ſhall be held valid, but all grants of rent-free land made or confirmed ſince the above mentioned date by any other authority than that of Government, and which have not been confirmed by them, ſhall be held invalid and be liable to reſumption; provided nevertheleſs that nothing herein contained ſhall extend to authorize the reſumption of grants made previous to the Bengal year 1178, and the Fuſſily year 1179, under the ſignature of the Chiefs of the Provincial Councils, and the ſeals of the ſaid Councils, for rent-free lands under one hundred Rupees annual rent, nor to the reſumption of

grants of rent-free land made previous to the Bengal year 1178 and the Fuſſily year 1179 for a quantity of land not exceeding ten Begas, and which is bona fide appropriated to endowments on temples, the maintainance of Brahmins, or other religious or charitable purpoſes.

III. Poſſeſſion of rent-free land antecedent to the date of the Dewannee, provided that it has been ſubſequently continued to the preſent time, ſhall be held of equal validity with any grant; but previous poſſeſſion not continued, or poſſeſſion ſubſequently obtained, ſhall not be deemed a valid title without a grant.

IV. All queſtions regarding the proprietary right in lands alienated previous to the date of theſe Regulations, and which may in conformity thereto become ſubject to the payment of revenue, are hereby declared cognizable by the Courts of Dewannee Adaulat. Theſe Regulations with regard to all ſuch lands reſpect only the public revenue thereof. The grantees or preſent poſſeſſors, until diſpoſſeſſed by a decree of the Dewannee Adaulut, are to be conſidered as the proprietors of the lands with the ſame right of property therein as is poſſeſſed by the other landholders in the diſtrict paying revenue to Government; and engagements are accordingly to be taken from them for the payment of the public revenue agreeable to the rules hereafter preſcribed, unleſs they decline the ſettlement under the option left by the general Regulations for the decennial ſettlement. If by the deciſion of the Dewannee Adaulut the land be transferred, the perſon ſucceeding thereto in like manner to be held liable for the public revenue under the option above noticed.

V. The revenue which may be aſſeſſed on all rent-free lands, conſiſting of one or more whole villages, and on portions of villages (provided the ſum aſſeſſed on ſuch portions ſhall exceed one hundred Sicca Rupees per annum) alienated prior to the date of theſe Regulations, and which may be reſumed in conformity thereto, is hereby declared to belong to Government.

VI. The revenue which may be aſſeſſed on portions of villages alienated prior to the date of theſe Regulations, and which may be reſumed in conformity thereto (provided the amount thereof ſhall not exceed one hundred Sicca Rupees per annum) is hereby declared to belong to the perſon reſponſible to Government for the revenue of ſuch village, whether he be Zemindar or farmer, nor ſhall he be liable to any increaſe of aſſeſſment on account of the ſame during the term of his leaſe.

VII. The aſſeſſment on lands alienated prior to the date of theſe Regulations, and which may be reſumed in conformity thereto, is to be adjuſted according to the following rules

1st. If the grant ſhall have been made previous to the Bengal year 1178 and the Fuſſily year 1179, the Jumma aſſeſſed upon the land ſhall be equal to one half of the neat annual produce, and the amount of ſuch Jumma ſhall be adjuſted by the Collector upon an examination of the collections for the three paſt years. If ſuch accounts ſhall not be procurable, or, when procured, if there ſhall be reaſon to doubt their authenticity, the produce of the lands ſhall be aſcertained by a meaſurement. The aſſeſſment of ſuch lands, when adjuſted and confirmed by the Board of Revenue, ſhall not be liable to any future variation.

2d. If the grant ſhall have been made ſubſequent to the Bengal year 1178 or Fuſſily year 1179, and prior to the date of theſe Regulations, the lands ſhall be aſſeſſed according to the rules preſcribed for the decennial ſettlement.

VIII. Any perſon, who may purchaſe a village or villages, either by private or at public ſale, ſubſequent to the date of theſe Regulations, ſhall be entitled to the property in the ſoil and the Government's ſhare of the produce (whether it be more or leſs than one hundred Sicca Rupees per annum) of all portions of ſuch village or villages that may have been alienated ſince the date of theſe Regulations, and prior to the date of his purchaſe, nor ſhall he be liable to any increaſe of aſſeſſment on account of ſuch lands or the produce thereof during the term of his leaſe.

IX. Farmers of the lands of excluded Zemindars ſhall be entitled to the produce of all portions of villages which may be alienated ſubſequent to the date of theſe Regulations (whether the ſame be more or leſs than one hundred Sicca Rupees per annum); nor ſhall they be liable to any increaſe on account of ſuch produce during the term of their leaſe.

X. The head Aſſiſtant to every Collectorſhip is hereby appointed to proſecute on the part of Government, for the reſumption of all grants of land reſumable by theſe Regulations the revenue of which is declared by the fifth article to belong to Government. The head Aſſiſtant ſhall receive a commiſſion of twenty-five per cent on the amount of the firſt year's Jumma aſſeſſed on land reſumed in conſequence of ſuits proſecuted by him to a deciſion.

XI. Landholders and farmers entitled to the property in the ſoil, or to the whole or part of the produce, of alienated portions of villages reſumable by theſe Regulations, are authorized to proſecute for the ſame in the Court of the Collector of the diſtrict. Any landholder, farmer, or other perſon reſuming alienated lands without having previouſly obtained a decree for that purpoſe from the Collector of the diſtrict, ſhall be liable to a proſecution for damages in the Court of Dewannee Adaulut.

XII. The Collectors of the ſeveral diſtricts are required to take cognizance of all ſuits inſtituted by their head Aſſiſtants or Zemindars or other landholders or farmers reſpectively under theſe Regulations, and to try the ſame according to the forms preſcribed by the Judicial Regulations. If the Collector ſhall be of opinion that any ſuit brought before him has been inſtituted upon inſufficient grounds or from vexatious motives, he is required to award ſuch damages in favor of the party proſecuted as he may judge equitable upon a conſideration of the circumſtances of the caſe: ſuch damages, if awarded againſt the head Aſſiſtant to be deducted from the amount of the commiſſion which may become due to him on lands reſumed at his proſecution; if againſt a Zemindar or other landholder or farmer, the amount to be levied by the cuſtomary judicial proceſs.

XIII. An appeal to lie to the Board of Revenue from all deciſions paſſed by the Collectors under theſe Regulations, and from the deciſions of the Board of Revenue to the Governor General in Council, under the 44th article of the Revenue Regulations of June 1787.

XIV. The above Regulations are not to affect any grants made or confirmed by the Superintendent of the Bazee Zemeen in Bengal, in virtue of the powers veſted in him, nor the ſpecific Regulations laid down for Jaghire, Altumghaw, and Muddud-mauſh lands in Behar.

RULES *for determining the continuance, or diſcontinuance, of the* PENSIONS *heretofore paid by the* LANDHOLDERS *and* FARMERS, *but included in the* JUMMA *of* GOVERNMENT *in conſequence of the orders of the* GOVERNOR GENERAL *in* COUNCIL *of 7th May* 1790; *and alſo of the* PENSIONS *heretofore received from the* SAYER *aboliſhed, approved by the* GOVERNOR GENERAL *in* COUNCIL *on the 10th June* 1791.

1. That all penſions, received by virtue of Sunnuds granted previous to the Company's acceſſion to the Dewannee, or ſince granted with the ſanction of Government, be continued during the lives of the grantees. In inſtances where the amount received may have been leſs than the amount ſpecified in the Sunnud, the former only to be continued, as heretofore.

2. That no penſions received without a Sunnud, or under Sunnuds granted ſince the Company obtained the Dewannee without the ſanction of Government, be continued, unleſs the perſons receiving the ſame be real objects of charity, or unleſs they received

them before the commencement of the Bengal, Fuſſily or Villayty year 1179, (in Bengal, Behar, and Oriſſa reſpectively) and have ſince continued to receive the ſame; in which caſe the penſions heretofore received to be continued during the lives of the preſent penſioners.

3. That if the perſons to whom the penſions were originally granted be deceaſed, the allowances be not continued to their deſcendants without the ſanction of the Governor General in Council; and that no penſion, after the death of the party now entitled thereto, be hereafter continued to his deſcendants without the like ſanction; whether the grant be, according to the terms of it, hereditary, or otherwiſe.

4. That all perſons thinking themſelves entitled to the penſions heretofore paid by the landholders or renters, and now included in the Jumma of Government, or to penſions heretofore received from the Sayer abolifhed, be required to prefer their claims to the Collector of the diſtrict in which they received the ſame, and that the latter, under the rules above laid down and ſuch as may be hereafter preſcribed, be authorized to decide on the claims preferred to him, to the amount of fifty Sicca Rupees per annum, but no further, ſubject to appeal, within one month, to the Board of Revenue; and to a further appeal from their deciſion, within the ſame period, to the Governor General in Council.

That the Collectors keep ſeparate proceedings in the Mál Adaulut on this ſubject, and ſubmit a monthly abſtract thereof to the Board of Revenue, together with their monthly abſtract of other proceedings in their Mál Adaulut now tranſmitted by them.

5. That the Collectors ſubmit their proceedings on all claims to penſions exceeding fifty Sicca Rupees per annum, with their opinions, to the Board of Revenue; and that the latter ſubmit the ſame, with their opinion, for the orders of the Governor General in Council.

6. That the Collectors be reſtricted from paying any penſions not already authorized until they, or the Board of Revenue, ſhall have decreed a right thereto, agreeable to the fourth rule abovementioned; or ſhall have received notice of the ſame being allowed by the Governor General in Council, under the fifth rule; and that on paſſing a judgment for any penſion, they immediately report the ſame to the Board of Revenue, who will give the neceſſary information to the Civil Auditor.

7. That theſe rules be not conſidered to apply to any perſions excepting ſuch as were heretofore paid by the landholders and are now included in the Jumma of Government; or which were received from the Sayer abolifhed; nor to ſuch of theſe penſions as have already been ſpecifically and finally ordered by the Governor General in Council to be continued.

8. That the Collectors, on adjudging any penſion not exceeding fifty Sicca Rupees per annum, or on receiving intimation of the judgment of the Board of Revenue, on appeal, for a penſion not exceeding this ſum, or on being informed of the Governor General in Council having ordered the continuance of penſions of a larger amount, referred to him, deliver to the party entitled to the penſion adjudged a certificate ſtating the amount of the penſion, the title of the party thereto during his or her life, the ground of ſuch title, and whether admitted by himſelf, by the Board of Revenue, or by the Governor General in Council, with the date of ſuch admiſſion.

9. That a ſimilar certificate be alſo given for all penſions already authorized by the Governor General in Council.

10. That the Collectors, at the time of granting the certificates ordered in the above articles, number and regiſter the ſame in an Engliſh and Perſian regiſter, to be kept for this purpoſe, and that they be careful to note therein alſo ſuch perſonal identifications of the parties receiving the certificates, as may detect any future attempt to transfer the ſame to others.

11. That the annual amount of the penſions be iſſued in quarterly proportions viz. on the laſt day of the third, ſixth, ninth, and twelfth months of the Bengal Fuſſily, and Villayty years reſpectively, for the preceding three months.

12. That all perſons, receiving penſions exceeding fifty Sicca Rupees per annum, be required to attend the Collectors in perſon at the ſtated periods, to receive the amount of their reſpective penſions, and that the Collectors be prohibited from iſſuing any penſions except to the parties perſonally; unleſs they ſhall be diſabled from attending by illneſs, or other ſufficient cauſe, of which ſatisfactory proof ſhall be exhibited. That the Collectors, on being ſatisfied of the inability of the parties to attend in perſon, be permitted to iſſue the penſions to their authorized Vakeels: but that they take due precautions to prevent impoſition after the death of the penſioners; and, in the event of any penſion not being claimed within ſix months after it may become payable, that they aſcertain whether the party who received it be deceaſed, and report accordingly.

13. That all penſions not exceeding fifty Rupees per annum be paid by the Cazee of the Pergunna in which the penſioners ſhall reſide, the Collector ſupplying him quarterly with the funds neceſſary for that purpoſe and furniſhing him with a liſt of the perſons entitled to ſuch penſions. That in iſſuing theſe penſions, the Cazees be guided by the ſame rules and reſtrictions as are preſcribed by the twelfth article to the Collectors, reſpecting the penſions exceeding fifty Rupees per annum, which are to be paid to the penſioners immediately from their Cutcherry. That the Cazees be required to take receipts

ſom the penſioners for their reſpective allowances and tranſmit the ſame to the Collector. That they report to the Collector the death of any penſioner the payment of whoſe allowance may have been entruſted to them, and that any Cazee who ſhall iſſue a penſion without taking the preſcribed precautions to aſcertain that the perſon entitled thereto is in exiſtence, or appropriate to his own uſe the allowance of any penſioner, or continue to any perſon not entitled thereto the allowance of a deceaſed penſioner with whoſe demiſe there ſhall be ſatisfactory grounds for believing he was acquainted, ſhall be diſmiſſed from his office.

14. In diſtricts where no Cazees are ſtationed, the Collectors are to commit the payment of the penſions not exceeding fifty Rupees per annum to the Tehſildar or other officer of Government, who may be ſtationed in the Pergunna or village where ſuch penſioners may reſide; or if there be no ſuch officer, to any truſt-worthy perſon in the neighbourhood who may be willing to undertake the truſt.

REGULATIONS *relative to* DISQUALIFIED LANDHOLDERS *and their* ESTATES, *reviſed by the* BOARD *of* REVENUE, *and approved by the* GOVERNOR GENERAL *in* COUNCIL, *on the 15th July* 1791.

By the rules preſcribed for the decennial ſettlement of Bengal, Behar and the Company's diſtricts in Oriſſa, females, minors, idiots, lunatics, contumacious perſons, and perſons of notorious profligacy of character, who, not being partners with others of a different deſcription, are, or may be, entire proprietors of lands paying revenue immediately to Government, are declared incapable of having any concern in the management thereof, and it is to be underſtood, as the evident meaning and intention of part of theſe exceptions, that they include all entire proprietors of lands paying revenue immediately to Government, who are, or may be, rendered incapable of managing the ſame by natural defects, or infirmities of whatever nature. The lands of perſons coming within the above deſcriptions are to be managed for the benefit of the proprietors by perſons appointed to the truſt by Government, in the manner hereafter ſpecified; and the Governor General in Council, adverting to the many inſtances which have occurred of minors, females, and other landholders of the deſcriptions above-mentioned, being reduced to ruin by the miſconduct of thoſe intruſted with the management of their affairs, as well as to the frequent inſtances of minors being brought up in ignorance and diſſipation by perſons intruſted with their care and education, with a view to engroſs the management of their affairs when they come of age, was pleaſed, on the 20th Auguſt 1790, to con-

ſtitute the Board of Revenue a Court of Wards, with powers to ſuperintend the conduct, and inſpect the accounts, of the managers of eſtates of landholders diſqualified from having the management of their own lands by the rules preſcribed for the decennial ſettlement, and with inſtructions to ſee that minors receive an education ſuitable to their rank and circumſtances in life, ſuch as may qualify them for the future management of their own concerns.

The following rules, including thoſe already paſſed, with additions and amendments, are preſcribed for the guidance of the Board of Revenue in their capacity of a Court of Wards, as well as for the guidance of the officers acting under them in this capacity; and are to be printed, with tranſlations, for general information.

1ſt. The ſuperintendence of the Court of Wards extends to the perſons and eſtates of all landholders diſqualified by the rules preſcribed for the decennial ſettlement from having any concern in the management of their own lands: viz. all entire proprietors of lands paying revenue immediately to Government, who are, or may be, females, minors, idiots, lunatics, or others rendered incapable of managing the ſame by natural defects or infirmities of whatever nature; as well as all entire proprietors of ſuch lands who are, or may be, deemed diſqualified on account of their contumacy or notorious profligacy of character.

2d. The ſuperintendence of this Court is not at preſent meant to extend to proprietors of lands not paying revenue immediately to Government, or to joint proprietors of lands, paying revenue immediately to Government, both or all of whom may not be of the deſcriptions mentioned in the foregoing article. The diſqualifications in the rules preſcribed for the decennial ſettlement do not include the former, and the latter are required thereby to elect a joint manager, in the choice of whom thoſe who are themſelves unable to vote are allowed a voice through their guardians. With all ſuch proprietors, managers, and guardians, theſe Regulations have no concern.

3d. The Collectors are to aſcertain and report to the Board of Revenue what proprietors, in their reſpective diſtricts, come within the deſcription of diſqualified landholders mentioned in the firſt article; and in doing ſo they are to take every neceſſary precaution to prevent miſinformation or concealment of the real condition of the parties. They can experience little difficulty in aſcertaining what proprietors are liable to excluſion from the management of their lands on the grounds of ſex or minority; but, in all other caſes, they are to take every practicable meaſure to prevent deception or miſtake, recording and tranſmitting the whole of their proceedings; and where the party may be ſuſpected of idiotiſm or lunacy, or any diſqualifying natural defect or infirmity,

are to aſcertain his actual ſtate by ocular proof, as well as by the declaration upon oath of not leſs than three credible perſons, acquainted with the party, ſetting forth their opinion of his condition, with the grounds of it. No perſon is to be declared diſqualified by the Collectors without the previous ſanction of the Governor General in Council, obtained through the Board of Revenue.

4th. Perſons not born in a ſtate of idiotiſm, but declared diſqualified as lunatics, are to be produced annually before the Collector, or oftener if he ſhall think fit, in order to aſcertain whether they be reſtored to ſanity or otherwiſe, and if in any inſtance the ground of diſqualification, whether a natural infirmity, contumacy or profligacy of character, ſhall appear to the Collector to be completely removed, he ſhall immediately report the ſame, with a full relation of the circumſtances of the caſe, to the Board of Revenue, who ſhall ſubmit to the Governor General in Council the reſtoration of the party to his lands if the ground of excluſion appear to them alſo entirely removed; or, if not, ſhall ſubmit the Collector's report, with their opinion, for the orders of the Governor General in Council.

5th. The truſts of manager for, and guardian to, diſqualified landholders, are to be conſidered altogether diſtinct; though, as hereafter ſpecified, they may be in ſome inſtances veſted in the ſame perſon; and the following rules, relative to managers and guardians reſpectively, are founded on this diſtinction.

6th. Where the truſts of manager and guardian are veſted in different perſons, the former is to have the care of the eſtates real and perſonal; the latter the care of the perſon, maintenance, and, if a minor, the education, of the ward.

7th. The manager, who is to be denominated Serberahkar, is to be choſen by the Collector, ſubject to the approbation of the Board of Revenue, and his commiſſion is to be ſigned by the Collector and authenticated by his official ſeal. In recommending perſons for this truſt, capacity for the buſineſs, goodneſs of character, and ſufficient reſponſibility, are to be particularly attended to, and, after theſe conſiderations, a preference is to be ſhown, in the firſt inſtance, to the legal heirs to the eſtate, or other near relations of the proprietors; and, in the ſecond, to a creditable ſervant of the family. If no one among theſe be found duly qualified for the truſt, and willing to undertake it, it muſt be veſted in a proper perſon unconnected with the family. A huſband may be the manager of any ſeparate property belonging to his wife, provided ſhe deſire it, but not otherwiſe.

All female proprietors, not minors, or otherwiſe diſqualified, may alſo recommend managers of their eſtates, and their recommendations ſhall be attended to, if conſiſtent with the primary conſiderations above noticed.

The manager, previous to the receipt of his commiſſion, is to give ſecurity for his appearance during the continuance of it, and is to execute the following obligation.

" I A. B. having voluntarily taken on myſelf the management of the eſtate of C. diſqualified proprietor of D. do hereby ſolemnly promiſe and engage to manage the ſaid eſtate diligently and faithfully, for the ſaid proprietor's to uſe every means in my power to improve the ſame for his benefit; and to act, in every reſpect, to the beſt of my judgment, for his intereſt, in like manner as if the eſtate were my own and I were acting for myſelf. I alſo promiſe and engage to render a true and juſt account of whatſoever may be received by me from, or on account of, the eſtate committed to my management, and in the event of its being proved that I ſhall have been guilty of any embezzlement or of any abuſe of truſt injurious to the property of the above mentioned proprietor, I do hereby bind myſelf, my heirs and ſucceſſors, to make good treble the amount of the embezzlement or injury ſo proved againſt me. I further promiſe and engage to adhere ſtrictly to ſuch orders and Regulations as may be paſſ'd for my guidance by the Court of Wards, or Governor General in Council, and to derive no perſonal advantage whatever, directly or indirectly, from the truſt committed to me, beyond the allowance by them granted to me."

8th: An allowance to the manager, proportionate to the extent of his truſt and adequate to a full compenſation for his trouble, is to be propoſed by the Collectors and fixed by the Court of Wards: and if it be proved, to the ſatisfaction of the Collector, or, in caſe of appeal, before the Court of Wards, that any manager ſhall have appropriated to his own uſe, directly or indirectly, any ſum of money or other property, above his fixed allowance, he is declared liable for ſuch embezzlement to the fine ſpecified in his obligation, beſides diſmiſſion from his truſt; and the fine ſo recovered is to be appropriated to the benefit of the eſtate under his charge.

9th. An eſtabliſhment of neceſſary officers to act under the manager is alſo to be propoſed by the Collectors, and fixed by the Court of Wards. The perſons to be employed on this eſtabliſhment to be nominated by the manager himſelf, but approved by the Collector, who may object to ſuch as may appear to him diſqualified by character or otherwiſe, and require the manager to appoint others. Theſe orders apply to the manager's Sudder eſtabliſhment, and alſo to his Moofuſſil eſtabliſhment, in eſtates of conſiderable extent, where Moofuſſil officers may be neceſſary. Any officer, Sudder or Moofuſſil, who may be proved, to the ſatisfaction of the Collector, or, in caſe of appeal, to that of the Court of Wards, to have appropriated to his own uſe, directly or indirectly, any ſum of money or other property beyond his fixed allowance, to be deemed guil-

ty of embezzlement, and liable to the ſame fine as the manager in ſimilar caſes, beſides diſmiſſion from his office.

10*th*. By the rules for the decennial ſettlement, the aſſeſſment, of lands, the property of diſqualified landholders, is to be fixed in like manner as that of other lands; and the following orders have been paſſed for the guidance of the managers and Collectors regarding the payment of this aſſeſſment, as well as reſpecting the general appropriation of the receipts of the managers from the lands under their charge.

That an allowance of ten per cent on the public revenue aſſeſſed on the lands of diſqualified landholders, or of ten per cent on the actual revenue paid to Government in the event of the total aſſeſſment not being realized, be fixed for the ſupport of the proprietors, and ſuch perſons of their families as may be entitled to receive a proviſion from them. That the appointed manager of ſuch lands be authorized to pay this allowance monthly, in proportion to his actual monthly payments of revenue to the Collector, and no further; that inſtead of paying the whole of his receipts to the Collector, as ordered on the 28th July 1790, he pay the monthly Kiſts of Government's revenue only to the Collector, or ſuch part thereof as he may be able to diſcharge from his collections after defraying the charges of his approved eſtabliſhment and the allowance of the proprietors; but that he deliver a monthly account current of his receipts and diſburſements to the Collector, who ſhall audit the diſburſements therein ſpecified and ſee that the receipts, after defraying the neceſſary charges, and providing the authorized allowance of the proprietor, have been fairly appropriated to the payment of the revenue due to Government; that, as the lands of diſqualified landholders are not held anſwerable for the payment of the revenue aſſeſſed thereon, in the event of the neat collections of any year proving inadequate to the payment of the fixed aſſeſſment in addition to the allowance of the proprietor, and of there being a ſurplus collection in any future year, the Collector ſhall take care that ſuch ſurplus be appropriated to the diſcharge of the arrear due to Government, and the proportion of the proprietor's allowance, which muſt alſo, according to the rule laid down, be at the ſame time in arrear: or, if no ſuch balance be outſtanding, ſhall ſee the ſurplus expended by the manager for the improvement of the lands, or otherwiſe for the benefit of the eſtate under his charge.

11*th*. By the foregoing orders ten per cent on the revenue aſſeſſed or realized is fixed as the general allowance for the ſupport of diſqualified proprietors, and ſuch perſons of their families as may be entitled to receive a proviſion from them: but, as in ſome inſtances this allowance may be more than adequate to the expence of ſuitably maintaining and educating minors, or maintaining other diſqualified landholders, as well as of making a proviſion for their relations entitled thereto; or, on the other hand, may not be ſufficient

for theſe purpoſes in ſome inſtances where there may be other funds ariſing from Lakheraj lands, or other reſources independent of the Malguzaree lands, which might be appropriated thereto; the Collectors are veſted with a diſcretionary power to reduce the ten per cent allowance in the former caſe, and to increaſe it in the latter, as, on conſideration of the rank and circumſtances of the parties and the amount of their allowances and other income, they may think proper; they are, however, to report any inſtances of the exerciſe of this power in their monthly communications to the Court of Wards, and, previous to authorizing any increaſe of the fixed allowance, are to aſcertain with accuracy that there are Lakheraj lands, or other reſources independent of the Malguzaree lands, fully adequate to make good the ſame; without which no exceſs is to be admitted, unleſs the Governor General in Council ſhould think proper to grant a diſpenſation from the general rule, in any particular caſe that may appear to require it. In the event of any reduction of the allowance fixed for the ſupport of diſqualified proprietors, the difference to be applied by the manager to the benefit of the eſtate under his charge, to which purpoſe he is alſo to apply the income ariſing from reſources independent of the Malguzaree lands, which the Collector, under the diſcretion above veſted in him, may judge unneceſſary for the education or maintenance of the proprietors, and the neceſſary proviſion of their relations entitled thereto.

12*th*. Where a diſtinct guardian may be appointed, as hereafter ſpecified, the manager is to pay him the amount of the allowance fixed for the maintenance or education of the proprietors and proviſion for perſons of their families entitled thereto, as well as the amount of any reſources independent of the produce of the Malguzaree lands, which the Collectors, under the diſcretion veſted in them by the foregoing article, may think proper to allot for theſe purpoſes.

13*th*. Agreeably to the diſtinction laid down in the 5th Article, the manager is to have the entire care of the eſtate, real and perſonal. He will therefore have the excluſive charge of all lands, Malguzaree or Lakheraj, as well as all houſes, tenements, goods, money, and moveables of whatever nature, belonging to the proprietor whoſe eſtate may be committed to his charge; excepting only the houſe wherein ſuch proprietor may reſide, the moveables wanted for his or her uſe, and the money allowed for the ſupport of the proprietor, and his or her family entitled to a proviſion; which are to be left to the care of the guardian, where diſtinct guardians may be appointed. Both managers and guardians, on their receiving charge of any property, are to ſign an exact inventory of the ſame, which is to be depoſited in the Collector's Treaſury.

14*th*. The manager, agreeably to the terms of his obligation, is to manage the eſtate committed to him, diligently and faithfully, for the uſe of the proprietor, and in every

reſpect to act to the beſt of his judgment for the proprietor's intereſt, in like manner as if the eſtate were his own. In inſtances, however, where he may act for a proprietor under age, not otherwiſe diſqualified, he is not to grant any leaſe extending beyond the period of his minority; nor is he in any inſtance to grant a leaſe extending beyond the life of the proprietor, or to diſpoſe of any part of the permanent property committed to his cuſtody without the ſanction of the Court of Wards.

15*th*. In addition to the monthly account current required in the tenth Article, the manager, at the expiration of every year, is to deliver to the Collector an annual account current of his receipts and diſburſements, with vouchers for the latter upon oath, and the Collector is to audit the diſburſements and take care that the whole of the ſurplus receipts be duly appropriated in the manner ſpecified in the 10th Article.

16*th*. If the Collector ſhould think it unneceſſary, or unadviſeable, to appropriate ſuch ſurplus receipts to the improvement of the lands already under the manager's charge, he ſhall cauſe the ſame to be applied by the manager to the purchaſe of other landed property; or to intereſt loans on mortgages; or to the purchaſe of Government's paper ſecurities, as circumſtances may render preferable; in which caſes he ſhall tranſmit the title deeds and mortgage deeds of the land purchaſes or mortgages to the Court of Wards, to be depoſited in the general Treaſury; but as intereſt will occaſionally become payable on the Government paper ſecurities, he ſhall depoſite them in the public Treaſury under his charge; giving in all caſes a receipt to the manager, as well for the title and mortgage deeds, as the paper ſecurities. The Court of Wards are alſo to obtain the Sub-treaſurer's receipt for the two former, when depoſited in the general Treaſury, and are to tranſmit an atteſted copy thereof to the Collector, to be delivered by him to the manager. The manager ſhall alſo deliver any exiſting title or mortgage deeds, or Government ſecurities, belonging to the eſtate under his charge, to the Collector, who ſhall, in like manner, return a receipt for the ſame, and tranſmit them to the Court of Wards, or depoſite them in his public Treaſury as above directed. Any intereſt, becoming payable on Government ſecurities, to be paid to the manager, to be appropriated by him, in common with other reſources independent of the produce of the Malguzaree lands, as before-mentioned.

17*th*. Any juſt debts now outſtanding againſt, or hereafter adjudged againſt, the eſtates of diſqualified landholders muſt neceſſarily be ſatisfied (if required ſo to be by the creditors) as far as may be conſiſtent with the rights of Government, to whom the produce of the Malguzaree lands is mortgaged in the firſt inſtance for the payment of the public revenue aſſeſſed thereon. The circumſtances of all ſuch debts however are to be immediately reported to the Collector, and by him, without delay, to the Court of Wards,

with his ſentiments on the beſt mode of ſatisfying the ſame, for their inſtructions, previous to any payment being made by the manager in diſcharge of them. In the event of any debts being compounded for a leſs ſum than the full amount, the eſtate is, of courſe, to be debited by the manager for the actual payment only.

18*th*. Agreeably to the 6th Article of the above Regulations, it will be the province of guardians appointed for diſqualified landholders to take care of the perſon, maintenance, and if a minor, the education of the ward.

19*th*. The rules contained in the 7th Article for the election of managers are to be applied alſo to the choice of guardians, with theſe differences, that the guardianſhip ſhall in no inſtance be entruſted to the legal heir, or other perſon concerned to outlive the ward, and that female minors ſhall have guardians of their own ſex. Further, under theſe reſtrictions, landholders, whoſe heirs are diſqualified, may appoint guardians to ſuch heirs by will in writing, and ſuch guardians, (provided they be duly qualified), if willing to accept the truſt and execute the obligation hereafter ſpecified, ſhall be preferred. Such teſtamentary appointments however ſhall in all inſtances be reported, with the ſentiments of the Collector, for the confirmation of the Court of Wards, and ſhall not be deemed valid till confirmed by them.

20*th*. Landholders, diſqualified on account of minority, idiotism, lunacy, or other natural defect or infirmity rendering them incapable of attending to the care of their own perſons and maintenance, will alone require guardians. Female as well as male proprietors not ſo diſqualified may themſelves receive and diſburſe the allowance fixed for their maintenance.

21*ſt* For perſons of the deſcriptions above mentioned it is expected, that ſome friend of the party will gratuitouſly diſcharge the truſt of guardian, appropriating the fixed allowance to the maintenance, and if a minor, to the education alſo, of the ward. Should it however, in any inſtance, be found neceſſary to make a pecuniary compenſation to a perſon to act as guardian, ſuch compenſation, after being approved by the Court of Wards, is to be provided from the allowance fixed for the maintenance of the ward.

22*d*. The guardian, previous to the receipt of his commiſſion, is to give ſecurity for his appearance during the continuance of it, and is to execute the following obligation:

"I A. B. having voluntarily taken on myſelf the guardianſhip of C. diſqualified proprietor of D do hereby ſolemnly promiſe and engage to execute the truſt committed to me, zealouſly and faithfully, to the beſt of my judgment, and according to the Regulations which have been, or may be, preſcribed for the guidance of guardians, by the Court of Wards, or Governor General in Council. I will conſcientiouſly appropriate the al-

lowance fixed for the maintenance (and education) of my ward, to his (or her) benefit, and will derive no advantage therefrom myſelf, directly or indirectly (beyond the compenſation granted me for my ſuperintendence); I alſo promiſe and engage to render a true and juſt account of whatſoever may be received by me, on account of my ward abovementioned, and in the event of its being proved, that I ſhall have been guilty of any embezzlement, or of any breach of truſt injurious to his (or her) property; I hereby bind myſelf, my heirs and ſucceſſors, to make good treble the amount of the embezzlement or injury ſo proved againſt me."

23*d*. An eſtabliſhment of neceſſary ſervants to act under the guardian is to be propoſed by the guardian to the Collector, and fixed by the Court of Wards; and the ſeveral rules and reſtrictions in the 9th Article of theſe Regulations, regarding the eſtabliſhments of managers, are to be conſidered equally applicable to the eſtabliſhments of guardians. The expence of the latter is, of courſe, to be defrayed from the allowance fixed for the ſupport of the proprietors.

24*th*. The guardian is to deliver a monthly account current of his receipts and diſburſements to the Collector, who ſhall audit the diſburſements therein ſpecified and ſee that the receipts have been fairly and duly appropriated. The guardian is alſo to deliver an annual account current with vouchers, upon oath, to be in like manner audited by the Collector, and in the event of any money remaining in his hands, which the Collector ſhall think unneceſſary for the guardian's expences in the enſuing year, he ſhall cauſe the ſame to be repaid to the manager, to be applied by him to the benefit of the eſtate under his charge.

25*th*. In caſes of minority, where the minor may be a male, the ſuperintendence of his female relations is not to be allowed after the expiration of the fifth year, and on his attaining the age of tuition it muſt be the firſt care of the guardian to procure proper teachers to give him an education ſuitable to his ſituation in life.

26*th*. Minority, with reſpect to both Hindoos and Muhamedans, is limited to the expiration of the fifteenth year.

27*th*. The guardians of female minors, who, agreeably to the 10th Article, are to be of the ſame ſex, are alſo to take care that their wards, when arrived at the age of tuition, receive an education ſuitable to their condition.

28*th*. The truſts of guardian and manager may be united in perſons to whom the inheritance cannot poſſibly deſcend, if circumſtances ſhould render the ſame eligible: but in this caſe the truſtee ſhall be conſidered as acting in two diſtinct characters; ſhall execute the obligations of both manager and guardian; and ſhall deliver the accounts required from each diſtinctly.

29*th*. Both manager and guardian ſhall ſign and ſeal all papers with their own names and ſeals, adding to the former their deſignation of manager, or guardian. They ſhall on no account ſign or ſeal the name of their ward, or of his (or her) deceaſed parents, but ſhall deliver all family ſeals belonging to their ward to the Collector, to be depoſited in his public treaſury.

30*th*. Minors, and other diſqualified landholders having guardians, as deſcribed in the 20th Article, ſhall not be ſued but under the protection and joint name of their guardians.

They may, however, ſue their guardians or managers for fraud by any perſon willing to undertake their cauſe, provided he ſhall previouſly give ſecurity for the payment of all coſts and damages in caſe of being nonſuited, in return for which the perſon ſo ſuing ſhall receive any fine and coſts adjudged againſt the guardian or manager, in the cauſe undertaken by him.

31*ſt*. No adoption by diſqualified landholders is to be deemed valid without the previous conſent of the Court of Wards, on application made to them through the Collector.

32*d*. Theſe Regulations are to be conſidered in immediate effect, and the Collectors, both now and hereafter, are to report to the Court of Wards all landholders of the deſcriptions mentioned, within their reſpective diſtricts; ſtating at the ſame time the condition of the parties; the particulars of their eſtate, real and perſonal, as far as aſcertained; and the perſons whom they think moſt eligible to be appointed managers and guardians, with the grounds of ſuch opinion. In caſes of teſtamentary appointments of guardians, they are alſo to notice the ſame, adding whether there be any and what objections to the confirmation of ſuch appointments.

33*d*. The Collectors are further to make ſuch monthly or annual reports to the Court of Wards as may be required by them, and generally to obſerve all inſtructions tranſmitted to them by the Court of Wards, not contrary to theſe Regulations, or ſuch as may be hereafter paſſed by the Governor General in Council.

RULE *for the* GUIDANCE *of the* COLLECTORS *approved by the* GOVERNOR GENERAL *in* COUNCIL *on the 12th Auguſt*, 1791.

That no Naib, Gomaſtah, or other Agent, or ſervant, of any Zemindar, Talookdar, or other landholder or farmer, be confined for balances of rent or revenue due from his conſtituent, for which ſuch Agent or ſervant may not be perſonally reſponſible; but that in the event of confinement being neceſſary, under the proviſions contained in the Regu-

lations, for the recovery of ſuch balances, it be reſtricted to the parties perſonally reſponſible for the ſame, and their ſecurities.

REGULATION *paſſed by the* GOVERNOR GENERAL *in* COUNCIL, *on the 26th Auguſt*, 1791.

That the exiſting Regulation, which requires that all ſpecies of Rupees, not Siccas, tendered by the landholders in payment of their revenue, be received at the eſtabliſhed rates of Batta, where any are eſtabliſhed, be done away; and that all ſuch Rupees, be in future, received in the ſame manner as they are required to be iſſued, viz. at the Bazar rate of Batta for the time being.

AMENDED CODE *of* REGULATIONS, *relative to the* DECENNIAL SETTLEMENT *of Bengal, Behar, and Oriſſa, approved by the* GOVERNOR GENERAL *in* COUNCIL, *on the 23d November* 1791.

The original rules and orders relative to the decennial ſettlement of Behar, Oriſſa, and Bengal, paſſed for theſe provinces reſpectively on the 18th September 1789, 25th November 1789, and 10th February 1790, having been ſince conſiderably modified and enlarged, and many orders concerning the natives not having been tranſlated for their information, the Governor General in Council has thought proper to direct, that the following amended code of Regulations, including the original rules for the decennial ſettlement of the three provinces, and ſubſequent modifications and additions, be printed, with tranſlations in the Bengal and Perſian languages, for general information.

1*ſt*. That a new ſettlement of the land revenue be concluded for a period of ten years, to commence with the Fuſly, Villayty, and Bengal year 1197, for Behar, Oriſſa, and Bengal reſpectively.

2*d*. That it be, at the ſame time, notified to the landholders with whom the ſettlement may be concluded, that, the aſſeſſment, fixed by the decennial ſettlement, will be continued, after the expiration of the ten years, and remain unalterable for ever, provided ſuch continuance ſhall meet the approbation of the Honorable Court of Directors, but not otherwiſe.

3*d*. That the ſettlement, under certain reſtrictions and exceptions hereafter ſpecified, be concluded with the actual proprietors of the ſoil, of whatever denomination, whether Zemindars, Chowdries, or Talookdars.

4th. The Talookdars to be conſidered the actual proprietors of the lands compoſing their Talooks, are the following:

Firſt. Talookdars, who purchaſed their lands by private, or at public ſale, or obtained them by gift from the Zemindar to whom they now pay their rents, or from his anceſtors, ſubject to the payment of the eſtabliſhed dues of Government, and who received bills of ſale, or deeds of gift for ſuch lands from the Zemindar, or Sunnuds from the Khalſa, making over to them his proprietary rights therein.

Second. Talookdars, whoſe Talooks were formed before the Zemindar, to whom they now pay their rents, or his anceſtors, ſucceeded to the Zemindaree.

Third Talookdars, the lands, comprized in whoſe Talooks, were never the property of the Zemindar, to whom they now pay their rents, of his anceſtors.

Fourth. Talookdars, who hold their Talooks under a ſpecial grant from Government.

Fifth. Talookdars, who have ſucceeded to Talooks of the nature of thoſe deſcribed in the preceding articles, by right of purchaſe, gift, or inheritance from the former proprietors of ſuch Talooks.

5th The proprietors of Talooks however, who now pay the public revenue aſſeſſed upon their lands through a Zemindar, and whoſe title deeds contain a clauſe ſtipulating, that their revenues are to be paid through him, ſhall continue to pay their revenue through the Zemindar as heretofore. But if in any inſtance it be proved, that a Zemindar exacts more from ſuch Talookdar, than he has a right to do, or that he be guilty of oppreſſion towards him, the Talook ſhall be ſeparated from his Zemindaree, and the revenue thereof in future be paid to the officers of Government.

6th. Talookdars, whoſe Talooks are held under writings, or Sunnuds from Zemindars, which do not expreſsly transfer the property in the ſoil, but only entitle the Talookdar to poſſeſſion, ſo long as he continues to diſcharge the rent or perform the conditions ſtipulated therein, are conſidered as leaſe-holders only, not proprietors of the ſoil, and conſequently are not entitled to be rendered independent of the Zemindar from whom they derive their tenures, provided they now pay the rent, aſſeſſed upon their lands, to him.

7th. Jungleboory Talookdars alſo, whoſe tenure is of the following deſcription, are not conſidered entitled to ſeparation from the Zemindars of whom they hold. The Pottahs granted to theſe Talookdars, in conſideration of the grantee clearing away the Jungle and bringing the land into a productive ſtate, give it to him and his heirs in perpetuity

with the right of diſpoſing of it, either by ſale, or gift, exempting him from payment of rent for a certain term, and at the expiration of it, ſubjecting him to a ſpecific Aſſul Jumma, with all increaſes, Abwabs, and Mahtoots impoſed on the Pergunna generally; but this for ſuch part of the land only as the grantee brings into a ſtate of cultivation; and the grantee is further ſubject to the payment of a certain ſpecified portion of all complimentary preſents, and fees which he may receive from his under-tenants, excluſive of the fixed rent. The Pottah ſpecifies the boundaries of the land granted, but not the quantity of it, till it is brought into cultivation.

8th The foregoing orders, reſpecting Talooks, have alſo been extended to Ayma lands liable to the payment of a fixed quit rent, denominated Malguzaree Aymas, and, agreeably to the diſtinctions above laid down, it has been ordered, that ſuch Malguzaree Ayma tenures, as are held under grants of the Muſſulman Government, previous to the Company's acceſſion to the Dewannee, or which have been ſince granted by the Zemindars for a conſideration received by them, ſhall be ſeparated from the Zemindar to whom they now pay their Malguzaree, as coming within the ſpirit of the orders for the ſeparation of Talookdars, who are proprietors of the lands compoſing their Talooks, but on the other hand, that Malguzaree Ayma tenures which may appear to have been bonâ fide granted for the purpoſe of bringing waſte lands into cultivation, ſhall continue annexed to the Zemindaries, to which they are now annexed, as coming within the orders reſpecting Jungleboory Talooks.

9th. The following rules have been preſcribed, for the guidance of the Collectors, in carrying into execution the abovementioned orders relative to the ſeparation of Talookdars, proprietors of the lands compoſing their Talooks.

10th. Every Talookdar being conſidered as the rightful poſſeſſor of his Talook, until a better title is eſtabliſhed againſt him by due courſe of law, the point to be aſcertained by the Collectors in carrying the abovementioned orders into effect, is not whether the holders of the ſeveral Talooks under their authority are the lawful poſſeſſors of the Talooks held by them, but whether the nature of their tenure is ſuch as to entitle them to ſeparation under the above orders; to aſcertain which they are to call upon the dependant Talookdars to produce their title deeds, and, after having examined the ſame, are to ſeparate from the juriſdiction of the Zemindars, thoſe who may appear to them to be actual proprietors of the ſoil, as deſcribed in the above orders, continuing the remainder under the Zemindars, as heretofore. Should the Talookdar, in any inſtance, have no title deeds to produce, the Collector is to make a ſummary inquiry into his right to ſeparation, and after attending to ſuch proofs and documents as may be produced by the Talookdar in ſupport of his title to ſeparation, and by the Zemindar in objection thereto,

is to decide, according to the beſt of his judgment, whether ſuch Talookdar be entided to ſeparation or not, and conclude the ſettlement accordingly.

11*th*. The Collectors are to acquaint the Talookdars, whom they may adjudge not to be proprietors of the ſoil, and conſequently continue under the Zemindars as heretofore, that, if diſſatisfied with their deciſion, they are at liberty to ſue the Zemindars in the Court of Dewannee Adaulut for the right of property in their Talooks; and that in the event of their eſtabliſhing ſuch right, they will be ſeparated from the Zemindars, and allowed to pay the revenue aſſeſſed upon their Talooks to the public treaſury. They are alſo to acquaint the Zemindars, from whoſe Zemindaries Talooks may be ſeparated, and who may be diſſatisfied with ſuch ſeparation, on the ground of the holders of ſuch Talooks not being the actual proprietors thereof, as deſcribed in the orders for the ſeparation, that they are at liberty to ſue ſuch Talookdars in the Court of Dewannee Adaulut, for the right of property in ſuch Talooks, and that in the event of their eſtabliſhing ſuch right, the Talooks will be replaced under them as heretofore. The right of property in every Talook, in caſes where it is diſputed, will thus be tried and decided upon according to law, in the Court of Dewannee Adaulut, and either party diſſatisfied with the deciſion of the Judge, will have an appeal to the Sudder Dewannee Adaulut, agreeably to the Judicial Regulations.

12*th*. Talookdars, ordered to be ſeparated, are not to be permitted to pay the revenue aſſeſſed upon their lands, through the Zemindars as heretofore.

13*th*. Talookdars, who in conſequence of the above orders, may be ſeparated from the Zemindars, through whom they have heretofore paid their revenue, are to pay their revenue in future immediately into the Collector's Treaſury, except in diſtricts, where from the number of Talooks, or other cauſe, this mode would be attended with conſiderable incovenience, in which caſe Tehſildars or native Collectors are to be appointed to receive the revenue of the Talooks in ſuch diſtricts.

14*th*. Zemindars, from whoſe Zemindaries Talooks may be ſeparated, ſhall not be appointed Tehſildars to receive the revenue of the Talooks ſo ſeparated, but the office of Tehſildar ſhall in every inſtance be given to ſome other perſon of character and reſponſibility; and the whole expence of it is to be defrayed by Government.

15*th*. That Mocurrery leaſes to perſons not the proprietors of the lands included in ſuch leaſes, if granted or confirmed by the Supreme Government, or obtained previous to the Company's acceſſion to the Dewannee, be continued in force during the lives of the leſſees, ſubject to an abatement of the fixed Jumma for the authorized Sayer reſumed or aboliſhed; but that on their death, the ſettlement be made with the proprietors of the ſoil, agreeably to the general Regulations.

16th. Mocurrery grants to the proprietors of the ſoil, made or confirmed by the Supreme Government, are alſo to be continued in force, ſubject in like manner to an abatement of the fixed Jumma on account of the reſumption or abolition of the authorized Sayer: this however, as well as the preceding order, to be conſidered ſubject to the future confirmation, or revocation, of the Honorable Court of Directors.

17th. Mocurrerydars holding lands, of which they are not the proprietors, and whoſe Mocurrery grants have been obtained, ſince the Company's acceſſion to the Dewannee, and never received the ſanction of the Supreme Government, are to be diſpoſſeſſed, and the ſettlement to be made with the proprietors of the ſoil, under the general Regulations. In caſes, however, where ſuch Mocurrerydars have been in poſſeſſion of their Mocurreries for a term exceeding twelve years, they are to receive during their lives, (ſubject to the pleaſure of the Honorable Court of Directors) the difference between the Jumma at which they held the lands, and that which may be now agreed to by the proprietors, added to the neat produce of the authorized Sayer reſumed or aboliſhed.

18th. Iſtemrardars however, who have not got poſſeſſion of their lands to the excluſion or without the conſent of the actual proprietors, as the Mocurrerydars, mentioned in the preceding article, are ſuppoſed to have done, but hold them of the proprietors on Pottah, or leaſe, are to be conſidered as a ſpecies of Pottah Talookdars, and the ſettlement to be made with them as hereafter ſpecified.

19th. The exceptions to the general order for the concluſion of the decennial ſettlement with the actual proprietors of the ſoil, noticed in the third Article of theſe Regulations, include the following deſcriptions of perſons: females, minors, idiots, lunatics, or others rendered incapable of managing their lands by natural defects or infirmities of whatever nature, and perſons, whom the Governor General in Council may deem diſqualified on account of their contumacy or notorious profligacy of character; provided however, with regard to the whole of theſe deſcriptions, that they are not partners in the Zemindaries or Talooks held by them, with others of a different deſcription, in which caſe, themſelves or guardians are allowed, with their partners, to engage for the ſettlement of their lands, and elect a joint manager, under the reſtrictions hereafter mentioned.

20th. The lands of diſqualified proprietors coming within the above deſcriptions are to be managed, for the benefit of the proprietors, by perſons appointed to the truſt by Government, and diſtinct Regulations have been paſſed reſpecting the election and conduct of ſuch managers, as well as regarding the proviſion to be made for the ſupport of the proprietors.

21ſt. A further exception has been made to landholders in balance to Government, and unable to pay the arrear due from them; in which inſtances, no ſettlement is to be

concluded with the deficient proprietor, but his lands are to be let in farm, or held Khas, for a period of three years at the diſcretion of the Collector.

22*d*. That where more proprietors than one poſſeſs an undivided eſtate, and the whole of them be not within the deſcription of diſqualified landholders above noticed, the ſettlement be made with them jointly, and they be required to elect a Serberakar, who ſhall have the excluſive management of their lands during the continuance of his appointment. The determination of the majority of the proprietors, or of the majority of thoſe preſent, in the event of the abſence of any, to be binding on the remainder in the choice of a manager; and when the votes of the proprietors are equal, the election of the manager to be determined by the greater intereſt of the proprietors in the property. If in any caſe the intereſt alſo be equal, the manager to be appointed by the Board of Revenue.

In inſtances where part of the proprietors may be minors, lunatics, idiots, or others having guardians, ſuch guardians are to vote for them.

23*d*. If the joint proprietors of undivided eſtates ſhould neglect to elect a Serberakar on the requiſition of the Collector, the latter is authorized to nominate a manager for the approbation of the Board of Revenue, which manager, when confirmed by them, ſhall have the excluſive management, as long as it may be thought adviſeable to continue him. The expenſe of the manager, as well as the reſponſibility for the public revenue reſting nevertheleſs with the proprietors.

24*th*. The determination of the majority of the proprietors preſent, under the reſtrictions ſpecified in the 21ſt Article, is alſo to be binding on the remainder, in agreeing or diſagreeing to the Jumma propoſed for undivided eſtates: but the ſharers, if diſſatisfied, may obtain a diviſion of their lands at their own expence, and a proportionate allotment of the revenue aſſeſſed thereon.

25*th*. That when a portion of land ſtands in the joint names of ſeveral proprietors, or of one for many, but each proprietor has his ſeparate ſhare in his own poſſeſſion, and management, or in that of an Agent for him, the ſettlement be made for each ſhare with the perſon in poſſeſſion, and his land be held excluſively reſponſible for the revenue aſſeſſed upon it.

26*th*. In caſe of mortgage, if the mortgagee has obtained poſſeſſion of the land, the ſettlement is to be made with him, and the proprietor to be declared entitled to ſucceed to his engagements on recovering poſſeſſion; either by diſcharge of his obligations or by the deciſion of a Court of Juſtice. If the mortgagee has not poſſeſſion, the ſettlement is to be made with the proprietor in poſſeſſion, and the mortgagee in like manner to ſucceed to the leaſe, in caſe of poſſeſſion being ſubſequently adjudged to him.

27*th*. If, after due inquiries and reference to the Mofuſſil Records, the proprietors of any land cannot be aſcertained, the lands pro tempore to be held Khas, and the ſame mode is to be adopted with regard to abſentees. In both caſes an advertiſement to be iſſued, requiring the proprietors, or abſentees, to attend within a period of ſix months; and if they ſhould not be forthcoming at the expiration of that period, a ſettlement to be made with a farmer for ten years, allowing a preference to the Zemindar neareſt in ſituation on his acquieſcence to the Jumma and terms preſcribed by the Collectors.

28*th*. That where the property of the lands is diſputed, the ſettlement be made with the proprietor in poſſeſſion, under an expreſs declaration, that he is nevertheleſs liable to the claims upon the eſtate, which is transferable to any other to whom the property may be ſubſequently adjudged.

If any caſe ſhould occur, where none of the claimants ſhall have been previouſly in poſſeſſion, they are to be allowed to appoint a manager until their claims ſhall have been determined in the Dewannee Adaulut: but if they ſhould not agree to a manager, that the lands be held Khas, and the ſurplus produce after diſcharging the revenue, be kept in depoſite until the right of property be adjudged.

29*th*. That where diſputes exiſt, concerning the boundaries of land, they be left to be adjuſted in the Dewannee Adaulut, and the ſettlement be made in the mean time for the lands in poſſeſſion of the diſputing parties reſpectively.

30*th*. The ſpecial rules for fixing the aſſeſſment of the three Provinces reſpectively, adapted to the local circumſtances of each, are ſubjoined at the end of theſe Regulations, and the following general rules have been preſcribed in addition thereto.

31*ſt*. That the allowances of the Cazees, and Canongoes heretofore paid by the landholders, as well as any public penſions, hitherto paid through the landholders, be added to the amount of the Jumma, and in future paid by the Collectors on the part of Government, under ſuch rules and reſtrictions as may be laid down for their guidance, with regard to ſuch payments.

32*d*. The aſſeſſment is to be fixed excluſive, and independent, of all duties, taxes and other collections known under the general denomination of Sayer; the collections made in the Gunges, Hauts and Bazars, ſituated within the limits of the town of Calcutta excepted, and excepting alſo the collections confirmed to the landholders and holders of Gunges, Bazars and Hauts, by the reſolutions paſſed by the Governor General in Council on the 11th June 1790; which, together with the ſubſequent orders of Government on the Regulation of the Abcaree, or tax on ſpirituous liquors, the abolition of the other Sayer collections reſumed, and the compenſations to be made to the landholders in conſe-

quence of this resumption and abolition, have been already translated, printed and published for general information.

33*d*. The assessment is also to be fixed exclusive, and independent, of all existing Lakheraj lands, whether exempted from the Kheraj, (or public Revenue assessment,) with, or without, due authority. Regulations for the guidance of the officers of Government in investigating and determining on the titles to these exemptions, have been passed under date the 1st December last, and printed and published, with translations; and these rules also contain provisions for the future assessment of such lands, as may on inquiry, be found liable thereto.

34*th*. The above exception, however, is not meant to include the Malikanah lands in Behar, or the Nankar, Khomar, Neejjoot and other private lands of the Zemindars and Talookdars in Bengal and Midnapoor, regarding which the following principles have been established.

That where the Zemindars in Behar have resigned, or have been deprived of the management of their lands, retaining possession of a tithe, as Malikanah, the latter be reannexed, and the Zemindars required to engage for the whole of their Zemindarry, including the Malikanah lands; unless such lands be held as Malikanah, under grants made or confirmed by the Governor General in Council, or Supreme authority of the country for the time being, and have been sold, or mortgaged, and given in possession to the mortgagee, in which case they are to be excepted from this rule. Grants for Malikanah lands, not made or confirmed by the Supreme authority of the country, are declared invalid by the Regulations passed on the 8th August, 1788. If the Collectors however, should be of opinion, that any material injury will be done to any individual by the execution of these orders, they are to report the same.

35*th*. That the Nankar, Khomar, Neejoot, and other private lands appropriated by the Zemindars and Talookdars of Bengal and Orissa to the subsistence of themselves and families, be also annexed to the Malguzarree lands, and the ten years Jumma fixed upon the whole, under the following modification; that such landholders, as may decline to engage for their lands, be allowed the option of retaining possession of their private lands, above specified, upon the terms on which they have hitherto possessed them, provided they shall prove to the satisfaction of the Board of Revenue, that they held them under a similar tenure, previous to the date of the Dewannee grant to the Company in August 1765, and have hitherto been permitted to keep possession of them whenever their Zemindaries or Talooks have been held Khas or let in farm; but not otherwise. In the event of such proof, and of their availing themselves of the option above given to retain possession of their private lands, a deduction adequate to the neat produce of such lands,

is to be made from the amount of the allowance, fixed for excluded landholders, by the 40th Article of these Regulations.

36*th*. The above conſolidation of the Malguzaree and private lands is alſo to be made in the Talooks continued under the Zemindaries on whom they have hitherto been dependent; not however with a view of encreaſing the rents of the Talookdars, but in order to make the whole of the lands compoſing their Talooks anſwerable for their proportion of the public aſſeſſment allotted thereto, agreeable to the 43d Article of theſe Regulations.

37*th*. The Chakeran lands, or lands held by public officers, and private ſervants in lieu of wages, are alſo not meant to be included in the exception contained in the 33d Article. The whole of theſe lands, in each province, are to be annexed to the Malguzaree lands, and declared reſponſible for the public revenue aſſeſſed on the Zemindaries and Talooks in which they are included, in common with all other Malguzaree lands therein; and conſequently equally liable to the village allotment of the land-tax directed in the 43d Article of theſe Regulations.

38*th*. That all engagements for the Jumma, whether executed by landholders, or farmers, be for Sicca Rupees, and that a Clauſe be inſerted obliging them to pay to Government Siccas, or the ſame ſpecie of Rupees as they received from their under tenants, at the Bazar rates of Batta, until a ſufficient number of Sicca Rupees can be circulated to make theſe the only legal tender. The Collectors to inſert in their Treaſury accounts the rates of Batta at which all Rupees, not Siccas, may be received by them.

39*th*. In the event of any landholder declining to engage for the ſettlement of his lands at the Jumma propoſed to him, the Collector is to communicate the objections offered, with his opinion, to the Board of Revenue, who having determined the proper aſſeſſment, after making ſuch further inquiries as they may think neceſſary, the objecting landholder is to be required to engage for the ſame without further delay, and in the event of his refuſal to be given in writing, his lands are to be let in farm, or held Khas, as the Board of Revenue may in each inſtance think moſt expedient.

40*th*. Landholders, who may finally decline engaging for the Jumma propoſed to them, and whoſe lands may conſequently be let in farm, or held Khas, are to receive Mallikanna (viz. an allowance in conſideration of their proprietary rights) at the rate of ten per cent on the Sudder Jumma of their lands, if let in farm, or at the ſame rate on the neat collections from their lands, if held Khas, viz. on the neat amount realized by Government after defraying the Mallikanna, as well as all other charges. Out of this allowance, however, a proviſion is to be made for ſuch of the families of the landholders as may be entitled thereto.

41*st*. When the lands are let in farm, the farmer is to engage to pay the ten per cent Malikannah to the proprietor of the lands farmed by him in addition to the Jumma payable by him to Government and to pay the same monthly according to the Kistbundy fixed for the Sudder Jumma, with an exception to any cases in which it may have been otherwise stipulated with the farmers. The Collectors are to enforce payment from the farmers, if they shall at any time neglect to pay the instalment due from them, and Government are to be considered as guarantees for the full payment of the fixed allowance to the several excluded proprietors.

42*d*. In the event of the lands being held Khas, on the refusal of the proprietor to engage for the settlement of them, the Malikannah calculated as above specified is to be paid monthly from the Treasuries of the Collectors, and it has been ordered to be paid entirely in money, instead of half in cash and half in paper as formerly.

43*d*. All Zemindars, Talookdars, or others assessed by Government in the course of the first year, are to distribute the total assessment of their Zemindaries, Talookdaries, or other lands, on the several villages contained therein, equally and impartially, according to the rents derived therefrom respectively, and to deliver a record of such distribution in the course of the three first months of the ensuing year, and successively for each year; specifying the name of each village, the boundaries thereof, the estimated quantity of land in each, distinguished as Maiguzaree and Lakheraj, together with an abstract thereof, containing the distribution of the Sudder Jumma upon each Pergunna, Turf, Tuppah, Kismut, or other division, as recorded in the prescribed arrangement of the Pergunnas.

This record is also to specify, under a separate head, the number, names, and boundaries of all detached Lakheraj villages.

44*th*. In order to correct inequalities in the distribution of the Sudder assessment, from the improvement of some villages and decline of others, or from the cultivation of new villages, a village record and abstract, as above described, are to be delivered in annually, in the course of the three first months of each year.

45*th*. Should it appear, that any landholder shall have omitted inserting any village in such record, the same to be declared forfeited to Government, and should any considerable wilful partiality in the distribution of the assessment be proved, the landholders, guilty of such offence, to be liable to a fine, determinable by the Governor General in Council.

46*th*. It is not meant by this distribution, to prevent the landholders from acquiring a larger rent from the Pergunnas or villages, than the sum apportioned, or to demand from them the accounts of the actual assessment. It is intended only, to be a standard for fixing the revenue of Government on lands transferred by sale, or otherwise, without

which, neither the actual proprietor, nor the purchaſer, can form a determinate idea of its value.

47th. That a fixed arrangement of the Pergunnas in the principal Zemindaries be eſtabliſhed by the Collector, as well as of the Turfs, Talooks, Kiſmuts, and Villages, not included in the detail of the Pergunnas, either by confirming the exiſting arrangement, or by altering it where adviſable and neceſſary.

48th. That the Zemindars and Talookdars be not afterwards permitted to change the deſignation of any of the diviſions, or to vary the diſpoſition of the Pergunnas, Turfs, Talooks, and Kiſmuts, compriſing the Zemindary, or Talookdary, as ſtated in the required record; or to make any alteration in the extent of them by any ſubſequent annexations, or ſeparations.

49th. This order is not to prevent the Zemindars and Talookdars ſubdividing the ſeveral Pergunnas in ſuch manner as they may think proper, in forming the ſettlement, but every ſubdiviſion ſhall invariably ſtand under the Pergunna to which it originally belongs in the general abſtract.—Thus: ſuppoſing any Pergunna rented in five ſubdiviſions, the account of the whole ſhall be inſerted in the abſtract, under the name of that Pergunna, with a memorandum of the number of the ſubdiviſions.

50th. The ſettlement having been concluded with the Zemindars, they ſhall enter into engagements with the ſeveral Talookdars continued under them reſpectively, and conſequently paying rent to them, for the ſame period, as the term of their own engagements with Government, provided the ſaid Talookdars will agree to ſuch rent, progreſſive or otherwiſe, as the Zemindar may be entitled to demand from them; and the ſeveral Zemindars, to whom this order may be applicable, are required to deliver to the Collector, within three months after the concluſion of the ſettlement with them, a record of the engagements entered into between them and the Talookdars dependant on them, ſpecifying their names and Talooks and the Jumma payable by each.

51ſt. It is to be underſtood, however, that Iſtumrardars of the nature of thoſe deſcribed in the 17th article of the preceding Regulations, who have held their land at a fixed rent for more than twelve years, are not liable to be aſſeſſed with any increaſe either by the officers of Government, or by the Zemindar, ſhould he engage for his own lands. With regard to ſuch alſo as have not held their lands at a fixed rent for ſo long a period, if the Zemindar has bound himſelf by the deed, which he may have executed, not to lay any increaſe upon them, he ſhall not be allowed to infringe the conditions of the deed for his own benefit: but muſt confine his demands to the rent he may have voluntarily agreed to receive

This laſt reſtriction on the Zemindar is not to be conſidered to preclude the officer of Government or farmer, in the event of the Zemindary being held Khaſ, or let in farm, from aſſeſſing ſuch Iſtumrardars, according to the general rate of the diſtrict.

52*d*. In order to prevent undue exactions from the Talookdars, the following further rules are alſo to be attended to.

53*d*. That no Zemindar be authorized to demand an increaſe from the Talookdars dependent on him, although he ſhould himſelf be ſubject to the payment of an increaſe of Jumma to Government; except upon proof to the Collector, that he is entitled ſo to do, either by the ſpecial cuſtom of the diſtrict, or by the conditions under which the Talookdar holds his tenure; or that the Talookdar, by receiving abatement from his Jumma, has ſubjected himſelf to the payment of the increaſe demanded, and that the lands are capable of affording it.

54*th*. If in any inſtance it be proved, that a Zemindar exacts more from a Talookdar than he has a right to, he ſhall be ſubject to a penalty of double the amount of ſuch exaction with all coſts of ſuit, to be paid to the party injured.

55*th*. The Zemindar is to let the remaining lands of his Zemindary under the preſcribed reſtrictions, in what manner he may think proper; but every engagement contracted with under renters ſhall be ſpecific, as to the amount, and conditions of it; and all ſums received by any landholder, or renter, over and above what is ſpecified in the engagements of the perſons paying the ſame, ſhall be conſidered as extorted; and be repaid with a penalty of double the amount. The reſtrictions, already preſcribed and referred to in this article, are the following:

56*th*. That no perſon contracting with a Zemindar, or Talookdar, or employed by him in the management of the collections, ſhall be authorized to take charge thereof, without an Amilnama, or written commiſſion, ſigned by the Zemindar or Talookdar: and that copies of all ſuch commiſſions be depoſited in the Collector's Sudder Cutcherry.

57*th*. That as the impoſitions upon the Ryots, under the denomination of Abwab, Muthote &c. from their number and uncertainty have become intricate to a juſt, and a ſource of oppreſſion to the Ryots, the landholders ſhall reviſe the ſame, in concert with the Ryots, and conſolidate the whole with the Aſſil, into one ſpecific ſum In large Zemindaries, the Zemindars are to commence this ſimplification of the rents of their Ryots in the Pergunnas, where the impoſitions are moſt numerous; and to proceed in it gradually, till completed: but ſo, that it be effected for the whole of their lands by the end of the Bengal year 1198, in the Bengal diſtricts, and of the Fuſſily and Villayty year 1198, in the Behar and Oriſſa diſtricts, theſe being the periods fixed for the delivery of Pottahs, as hereafter ſpecified.

58th. That no landholder ſhall impoſe any new Abwab or Muthote upon the Ryots, under any pretence whatever. Every exaction of this nature ſhall be puniſhed by a penalty equal to three times the amount impoſed; and if, at any future period, it be diſcovered, that new Abwab or Muthote have been impoſed, the landholder impoſing the ſame, ſhall be liable to this penalty, for the entire period of ſuch impoſitions.

59th. It is expected that, in time, the landholders and Ryots will find it for their mutual advantage to enter into agreements in every inſtance for a ſpecific ſum for a certain quantity of land, leaving it to the option of the latter to cultivate whatever ſpecies of produce may appear to them likely to yield the largeſt profit: where however it is the eſtabliſhed cuſtom to vary the Pottah for lands according to the articles produced thereon, and while the landholders and Ryots, in ſuch places, ſhall prefer an adherence to this cuſtom, the engagements, entered into between them, are to ſpecify the quantity of land, ſpecies of produce, rate of rent and amount thereof; with the term of the leaſe; and a ſtipulation that in the event of the ſpecies of produce being changed, a new engagement ſhall be executed for the remaining term of the firſt leaſe, or for a longer period, if agreed on; and in the event of any new ſpecies being cultivated, a new engagement with the like ſpecification and clauſe, is to be executed accordingly.

60th. The rents to be paid by the Ryots, by whatever rule or cuſtom they may be regulated, ſhall be ſpecifically ſtated in the Pottah: which, in every poſſible caſe, ſhall contain the exact ſum to be paid by them.

In caſes, where the rate only can be ſpecified, ſuch, as where the rents are adjuſted upon a meaſurement of the lands after cultivation, or on a ſurvey of the crop; or where they are made payable in kind, the rate and terms of payment, and proportion of the crop to be delivered, with every condition, ſhall be clearly ſpecified.

61ſt. Every Zemindar and Talookdar ſhall prepare the form of a Pottah or Pottahs adapted to the circumſtances of his Zemindary, or Talook, and lay the ſame before the Collector, who, after approving ſuch forms, ſhall publiſh the ſame, with a notification to the Ryots, that they will receive correſponding Pottans, on application: and no Pottahs of any other form ſhall hereafter be permitted.

62d. A Ryot, when his rent has been aſcertained and ſettled, may demand a Pottah from the landholder or renter, of whom he holds his lands, or from the perſon acting for him; and any refuſal to deliver the Pottahs ſhall be puniſhed by a fine, proportioned to the expenſe and trouble of the Ryot in conſequence of ſuch refuſal. The landholders and renters are alſo required to cauſe a Pottah for the adjuſted rent to be prepared and tendered to the Ryot; either granting the ſame themſelves, or inſtructing their Agents to grant

the ſame. No renter, however, without ſpecial permiſſion from the proprietor of the lands, ſhall grant a Pottah extending beyond the period of his own leaſe; nor ſhall any Agent grant a Pottah without authority from the proprietor, or the manager of diſqualified proprietors.

63*d*. All exiſting leaſes to under renters and Ryots to remain in force, till the period of their expiration, unleſs proved to have been obtained by colluſion, or from perſons not authorized to grant the ſame.

64*th*. No landholders or farmers, or perſons acting under their authority, ſhall cancel the Pottahs of the Khood-kaſht Ryots, except upon proof that they have been obtained by colluſion; or that the rents, paid by them within the three laſt years, have been reduced below the rate of the Nirkbundy of the Pergunna; or that they have obtained colluſive deductions; or upon a general meaſurement of the Pergunna for the purpoſe of equalizing and correcting the aſſeſſment.

65*th*. The landholders and renters in Bengal are allowed till the end of the Bengal year 1198, and thoſe in Behar and Oriſſa, till the end of the Fuſſily and Velayty year 1198, to prepare and deliver Pottahs to the Ryots, in conformity to the above Regulations; but after the expiration of the year 1198, no engagements for rent, contrary to thoſe ordered, are to be held valid; and in the event of any claims being preferred by landholders, farmers, or Ryots, on engagements, wherein the conſolidation of the Aſſil, Abwab, &c. ſhall appear not to have been made, they are to be non-ſuited with coſts.

66*th*. For every village, a Putwarry ſhall be eſtabliſhed by the proprietor, for the purpoſe of recording the accounts of the Ryots therein; and a liſt of ſuch Putwarries ſhall be depoſited in the Collector's Sudder Cutcherry, and in the Cutcherry of the Pergunna, where the village is ſituated; if upon a reference to the accounts of any village, for the purpoſe of deciding complaints, it ſhould be found that no Putwarry has been eſtabliſhed, the proprietor ſhall be fined by the Collector for his neglect.

67*th*. Every landholder, renter, and agent, of every gradation, receiving rents from the Ryots, or others, ſhall give receipts for all ſums received by them; and a receipt in full on the complete diſcharge of every obligation. Any perſon, to whom a receipt may be refuſed, on his eſtabliſhing the ſame before the Collector, ſhall be entitled to damages from the party, who received his rent and refuſed the receipt, equal to double the amount paid by him.

68*th*. In caſe any village, or diſtrict, ſhould be affected by inundation, or other calamity, cauſing the Ryots to deſert, it ſhall not be lawful for any landholder, renter, or agent, to demand the rents of the abſconded Ryots, from thoſe who may remain.

69th. The landholders and renters ſhall adjuſt the inſtalments of the rents receivable by them from the Ryots, according to the time of reaping and ſelling the produce, and the Collectors are to enforce obedience to this Regulation.

70th. In all inſtances, when the Ryots ſhall give ſecurity for the performance of their engagements, and ſuch ſecurity ſhall be accepted by the landholders, or farmers, it ſhall not be lawful for the two latter to attach the crop of the former, unleſs the ſecurity ſhall have abſconded; and other good ſecurity ſhould not have been tendered in conſequence.

71ſt. No Zemindar, or other landholder, ſhall contract any engagement with any farmer, or authorize any act contrary to the letter and meaning of theſe Regulations.

72d. The landholders are declared reſponſible for the peace of their diſtricts as heretofore, and are to act agreeably to ſuch Regulations on this head, as may be hereafter enacted.

73d. They are however, as well as all other perſons, not veſted with due authority for the purpoſe on the part of Government, prohibited from taking cognizance of cauſes coming within the juriſdiction of the Courts of Dewannee or Foujedary Adaulut, under pain of being liable to ſuch fine, as Government may think proper to impoſe, in addition to the damages, which may be awarded againſt them by the Court of Dewannee Adaulut, ſhould the party, injured by ſuch illegal acts, think proper to proſecute them therein.

74th. The remaining reſtrictions on landholders and farmers, are ſet forth in their reſpective Cabooleats, of which approved forms have been printed and tranſmitted to the Collectors.

75th. After the concluſion of the ſettlement, the landholders may borrow money on the credit of their lands, and may alſo diſpoſe of their lands, by ſale or otherwiſe, under certain reſtrictions to be hereafter eſtabliſhed

76th. If, in any inſtance, the above Regulations ſhould appear inapplicable to the circumſtances of any particular diſtrict, the Collector is enjoined to attend to the ſpirit of them, and carry it into execution, in ſuch mode as circumſtances may allow, reporting any alterations or modifications, which he may deem neceſſary.

77th. Laſtly. If from want of ſufficient materials, or information, or on account of other impediments, the Collectors ſhould be unable to complete the ſettlement of all the Pergunnas under their charge, agreeably to the preſcribed plan, within the period of the current year, the ſettlement, in ſuch caſes, is to be made for one year only, according to the principles laid down in the Regulations of 25th April, 1783.

Bengal Special Orders.

1ſt. In fixing the amount of the aſſeſſment, the Jumma of the preceding year, compared with the accounts and information ſupplied by the Collectors, and the recommendation of the Board of Revenue founded thereon, is to furniſh the ſtandard, under the following conſiderations;

2d. That, if the Board of Revenue ſhall have reaſon to believe, that the accounts furniſhed of any particular diſtrict or diſtricts, are materially defective; that more accurate information of their actual produce is neceſſary; and that it can be procured without having recourſe to Huſtaboods and meaſurements; which have been prohibited, the decennial ſettlement of ſuch diſtricts be poſtponed.

3d. That no abatement from the Jumma of the preceding year be allowed, without the ſpecial ſanction of the Governor General in Council.

4th. That any occaſional diminution of the Jumma, which it may be neceſſary to allow, on account of caſualties of ſeaſon, be reſtored by a Ruſſud, or progreſſive increaſe; but that no Ruſſud ſhall be eſtabliſhed to extend beyond the third year of the ſettlement, except in the ſeparated Taloaks and other petty Mehals, wherein the Board of Revenue may allow a further extenſion of the Ruſſud, if it ſhall appear to them expedient.

5th. That the ſettlement be made, as far as poſſible, in one neat ſum, free from any charges of Moſhaira, Zemindaree Umlah, Poolbundy, Cutcherry charges, or others of a ſimilar nature; it being intended, that all charges incidental to the receipt of the rents of the lands, and independent of the allowances of the officers of Government, and expences attending the collection of the public revenue, ſhall be defrayed by the landholders from the produce of their lands.

6th. That, in every poſſible caſe, all ſeparate allowances to the families and connections of the landholders be aboliſhed, and the proviſion for their maintenance devolve upon the landholders.

7th. That with reſpect to any of the exiſting eſtabliſhed Zemindaree charges, ſuch as penſions, charitable allowances, or others, which it may be thought proper to continue, they ſhall be paid by the Collectors, and the landholders have no concern in them, unleſs, for ſpecial reaſons of convenience, it ſhould be deemed more expedient, in any inſtance, to intruſt the landholders with the diſburſement thereof.

8th. The ſtandard for fixing the future aſſeſſment, noticed in the preceding article, viz The Jumma of the preceding year, compared with the accounts and information ſupplied by the Collectors, and the recommendation of the Board of Revenue thereon,

cannot be applied however, to the ſeparated Talooks, which have not heretofore paid any Jumma immediately to Government; nor is it to be underſtood to be applicable to any inſtances where the actual produce of the lands may have been aſcertained. In all ſuch inſtances, and in all ſeparated Talooks, the Jumma of which ſhall clearly appear to have been fixed below the general rate of aſſeſſment of the Pergunna, wherein they are ſituated, the aſſeſſment is to be regulated ſo as to leave the landholders a proviſion for themſelves and families, equal to about ten per cent, on the amount of their contributions to Government, including the produce of their Nankar or other private lands, to be annexed to the Malguzaree lands, as directed in the 35th article of the foregoing general Regulations: and the Talookdars, whoſe Jumma may be raiſed by virtue of this rule, are to be informed they may proſecute, in the Dewannee Adaulut, the Zemindar who fixed their Jumma, if they ſhall think themſelves aggrieved by their payments being enhanced, contrary to the terms of a grant, which the Zemindars had no authority to beſtow on them.

9th. From this rule however is to be excepted all ſeparated Talooks, as well as all lands heretofore paying revenue immediately to Government, which may have been held at a fixed Jumma during the laſt twelve years; and the decennial ſettlement is to be concluded with the proprietors of ſuch Talooks, and lands, at the Jumma hitherto paid by them, ſubject to ſuch deduction as may be found equitable on account of the Sayer reſumed or aboliſhed.

10th. The eſtimated proviſion for the landholders, and their families, where the aſſeſſment may be fixed on the aſcertained produce of their lands, is ſtated generally at ten per cent on the Jumma payable by them, but if, owing to any peculiar circumſtances, a larger proviſion ſhould be deemed neceſſary, particularly in Zemindaries or Talooks yielding a ſmall revenue, the Governor General in Council will take the ſame into conſideration.

11th. In carrying into execution the principles contained in the firſt of the above articles, it will be neceſſary to conſider, whether the ſeveral charges noticed have been heretofore defrayed by the landholders, independent of their aſſeſſment, or by Government; with a view to determine, whether a deduction is to be allowed from their future Jumma to provide for them, or otherwiſe.

In caſes where theſe charges have been defrayed by the landholders independently of their Jumma to Government, they will not, of courſe, be entitled to any deduction on account of them; but where they have been heretofore paid by Government, the Jumma muſt ſuffer a proportionate diminution, unleſs there be ſufficient funds for the diſcharge of them in addition to the former Jumma. With reſpect to the Moſhaira in particular,

it may be remarked, that where the lands have been let in farm, but are now left with the proprietor, the latter may be presumed to receive an equivalent for his former allowance in the emoluments of the farmer, which will revert to him.

12*th*. Where the Jumma may be fixed on the aſcertained groſs aſſets, the Moſuſſil charges of every denomination, whether Dehatee, Pergunnatee, or others, muſt further be conſidered in calculating the proper aſſeſſment, and the Collectors are to tranſmit a ſtatement of the eſtimated groſs aſſets, with an adjuſtment of the revenue thereto, conformable to the above rules.

13*th*. Every circumſtance, influencing the Regulation of the Jumma, muſt be minutely recorded, to prevent any claims hereafter on the part of the landholders for lowering the amount.

Behar Special Orders.

1*ſt*. That the Jumma, which each landholder is to pay, be fixed by the Collector on fair and equitable principles, with the reſerve of the approbation of the Board of Revenue, to whom he is to report the grounds of his deciſion on the Jumma. If he ſhould deem it eligible, he may call upon the landholders to deliver in propoſals for the ſettlement of their lands; but his judgment is, in the firſt inſtance, to determine the amount of the aſſeſſment.

2*d*. The Collectors, in fixing the Jumma, are to attend to the modes, which have hitherto prevailed in aſcertaining the aſſets, and fixing the Jumma between the petty landholders and principal Zemindar or farmer, adopting, in all practicable inſtances, the following general rule: that the average product of the land in common years, (aſſuming three or four for the calculation,) be taken as the baſis of the ſettlement, and from this, deductions be made equal to the Mâlikannah and Kurcha, leaving the remainder of the Jumma of Government. The Governor General in Council relies on the accuracy of the Collectors in the application of this rule; and they are authorized, in the event of great uncertainty, to meaſure the lands. This uncertainty however, to be reported to the Board of Revenue; and the meaſurement not to be undertaken, but on the cleareſt grounds of the neceſſity of it.

3*d*. From the above rules are to be excepted all lands heretofore paying revenue immediately to Government, which may have been held at a fixed Jumma, during the laſt twelve years; and the decennial ſettlement is to be concluded with the proprietors of ſuch lands, at the Jumma hitherto paid by them; ſubject to ſuch deduction, as may be found equitable, on account of the Sayer reſumed or aboliſhed.

4th. That no abatement from the Sudder Jumma of 1196 be confirmed, without the ſpecial ſanction of the Governor General in Council.

5th. That the Sudder Kiſtbundy be ſo regulated, as to afford the landholders all poſſible convenience in the diſcharge of their revenue, with due regard to the ſecurity of Government.

6th. The Collectors are to proceed with due caution and information in the execution of theſe fundamental reſolutions; and it is expected they will be able, when called upon, to furniſh clear and ſatisfactory explanations on their proceedings; particularly on the amount of the aſſeſſment.

Midnapoor Special Orders.

1ſt. That the Collector be authorized to make alterations in the Jumma of the laſt year, when from good information, and his own experience, it may appear neceſſary, to render the Jumma of the reſpective Zemindars and Talookdars more equal and proportioned to the reſources of their lands.

2d. That, in order to aſcertain the neceſſity of granting any remiſſions upon the Jumma of laſt year, he examine the Waſſilaut and Acrajaut, or the groſs receipts and expenditures, comparing the one with the other, and checking the latter when exorbitant; and that he particularly aſcertain, to his full ſatisfaction, thoſe inſtances in which the Zemindars and Talookdars have been under the neceſſity of ſelling their lands and effects to make good the amount of their ſtipulations.

3d. That, to obviate and correct, as far as poſſible, any unneceſſary or ſtudied delays in the Zemindars and Talookdars in giving the accounts required, he be authorized to impoſe a moderate fine upon any, who are guilty of delays or evaſions; reporting the caſes as they may occur to the Board of Revenue.

4th. That, in caſes of great doubt and uncertainty, the Collector be authorized to meaſure the lands; or make ſuch Moofuſſil inveſtigations into the produce of them, as he may deem neceſſary for aſcertaining the truth.

5th. That he be authorized, upon the grounds of the information obtained in the mode above pointed out, to grant remiſſions upon the Jumma of the laſt year; the Board expecting that no remiſſion will be allowed but upon ſatisfactory explanations of the neceſſity of it; but that the ſettlement be made, under an expreſs reſerve and limitation, that it be approved and confirmed by the Governor General in Council; and a declaration to this effect is to be made to the landholders.

6th. That the eſtimated allowance for caſual deficiency upon the groſs Jumma be reduced from Rupees 1,30,477, to the ſum of Rupees 50,546, which is three per cent. upon the groſs Jumma of 16,84,868-5-1, after deducting from it the article of Batta.

7th. That the allowance for religious expenditures, being enormous, be alſo reduced. The Board do not mean to preſcribe the exact amount of the reduction, but conceive that the ſum, now allowed, will admit a diminution of at leaſt 35,000 Rupees. The Collector, in fixing the aſſeſſment, will regulate the eſtimate of its amount by this conſideration. Theſe charges being higheſt in the Pergunnas of Coſſijurah, Shahpoor, Midnapoor, and Mynachoura, the diſallowance ought to be greateſt in them.

8th. That the charges of purchaſing proviſions for the battalion when in the town of Midnapoor, and of firewood and graſs, when travelling, if ſuch have been actually incurred by the Zemindars, be diſcontinued, and that no ſuch charge be incurred by them in future.

9th. That the ſettlement be made, as far as poſſible, in one neat ſum, free from any charges of Moſhaira, Zemindarry, Umlah, Poolbundy, Cutcherry charges, or others of a ſimilar nature; it being intended that all charges incidental to the receipt of the rents of the lands, independent of the allowances of the officers of Government, and expenſes attending the collection of the public revenue ſhall be defrayed by the landholders from the produce of their lands.

10th. That with reſpect to any of the exiſting eſtabliſhed Zemindarry charges, ſuch as penſions, charitable allowances, or others, which it may be thought proper to continue, they ſhall be paid by the Collectors, and the landholders have no concern in them, unleſs, for ſpecial reaſons of convenience, it ſhould be deemed more expedient, in any inſtance, to entruſt the landholders with the diſburſement thereof.

11th. That any occaſional diminution of the Jumma, which it may be neceſſary to allow on account of caſualties of ſeaſon, be reſtored by a Ruſſud, or progreſſive increaſe; but that no Ruſſud ſhall be eſtabliſhed to extend beyond the third year of the ſettlement, except in the ſeparated Talooks and other petty Mehals, wherein the Board of Revenue may allow a further extenſion of the Ruſſud, if it ſhall appear to them expedient.

12th. Every circumſtance, influencing the Regulation of the Jumma, muſt be minutely recorded, to prevent any claims hereafter on the part of the landholders for lowering the amount.

Salt Diſtricts Special Orders.

1ſt. The above Regulations, as far as they relate to the term of the ſettlement and the formation of it with the landholders, are not to be conſidered as applicable to ſuch

of the ſalt diſtricts, as have been held Khas in paſt years to facilitate the ſalt manufacture. Theſe are to continue Khas as heretofore, and the aſſeſſment of them to be from year to year only.

2d. At the ſame time the Collector has been ordered to prepare and deliver Pottahs to the Ryots, conformable to the general Regulations, and within the period preſcribed for the delivery of them in Midnapoor.

REGULATIONS *for the* DIVISION *of* LANDS *paying* REVENUE *to* GOVERNMENT.—*Paſſed by the* GOVERNOR GENERAL *in* COUNCIL, *on the 30th March*, 1792.

1ſt. When a diviſion of an entire Zemindary, Talook, or other landed eſtate, or of a Kiſmut or part of any Zemindary, Talook, or landed eſtate, is directed to be made either upon the application of the joint proprietors, or purſuant to a decree of a Court of Juſtice, or an order of the Governor General in Council, inſtead of allotting to the ſeveral ſharers a part of each Mehal or village proportionate to their reſpective ſhares of the property to be divided in the mode at preſent obſerved, there be allotted to the ſharers ſeverally a number of entire and (as far as may be practicable from the relative ſituation of the lands to be divided) contiguous Mehals and villages, the produce of which is proportionate to their reſpective adjudged ſhares of the whole Zemindary, ſo that as far as circumſtances will admit, the lands included in the ſhare of each individual may be compact. The average of the groſs collections made from the lands by the proprietors, or (if the proprietors ſhall have been diſpoſſeſſed of the management) by the farmer or other perſon who had the charge of the lands, on account of the three years preceding the year in which the diviſion may be ordered to take place, is to be the ſtandard for determining the amount at which the annual produce of each Mehal or village is to be rated in the diviſion. Agreeably to the above principles, if a Zemindary, the average groſs collections of which, for the three preceding years, amounted to ſix thouſand Rupees, is ordered to be divided into three equal ſhares, each ſhare is to conſiſt of a number of entire, and (as far as may be practicable from the relative ſituation of the lands to be divided) contiguous Mehals or villages, the average of the groſs collections of which, for the three preceding years, amounted to two thouſand Rupees. In ſelecting the Mehals or villages, that are to be included in each ſhare, the advantages or diſadvantages ariſing from ſituation, the vicinity of roads, or navigable rivers, the nature of the ſoil, and quality of the produce, the quantity of waſte land, the depth at which water is procurable, the number of tanks, the ſtate of the embankments and water courſes, and every other local circumſtance, affecting the preſent, or that may be likely to influence the future value of the lands, are to be duly

conſidered, and the Mehals or villages to be included in each ſhare, are to be fairly and impartially ſelected accordingly. A ſtrict attention to theſe circumſtances is eſſential towards rendering the diviſion equitable. For if all the Mehals or villages containing a large proportion of waſte land, and ſituated in the vicinity of a navigable river, or poſſeſſing other local advantages, are included in one ſhare, and all the Mehals or villages liable to any local diſadvantage, as being ſubject to inundation, and comprifing a ſmall proportion of waſte land, and ſituated at a greater diſtance from a navigable river, are included in another ſhare, it is obvious that the ſelection of the Mehals and villages included in theſe two ſhares cannot be conſidered as fairly and impartially made, although the average annual produce of the lands comprized in each ſhare for the three preceding years may have been the ſame. The firſt mentioned ſhare will be far more valuable than the ſecond, the former being capable of great improvement without being ſubject to inundation, and the latter being not only liable to that calamity, but deſtitute of the local advantages poſſeſſed by the firſt ſhare.

2d. The proprietors of the lands to be divided, ſhall have the option of making the diviſion themſelves upon the principles preſcribed in the firſt article. Proprietors, availing themſelves of this option, ſhall agree to complete the diviſion by ſuch period as the Collector may think reaſonable, when they have adjuſted the diviſion of the lands and the diſtribution of the public revenue on the different ſhares, they ſhall deliver to the Collector, under their reſpective ſignatures, and the atteſtation of four creditable witneſſes, a liſt of the names of the Mehals or villages which they have included in each ſhare, ſpecifying the Tukſeem Jumma of each Mehal and village, and the proportion of the public revenue aſſeſſed on each ſhare. To guard againſt colluſion or error in the diſtribution of the public revenue on the ſeveral ſhares (which might operate to the injury of Government or ſome of the ſharers), they ſhall alſo execute a written declaration, that the amount of the public revenue aſſeſſed on each ſhare bears the ſame proportion to the produce of ſuch ſhare as the amount of the public revenue payable from the whole Zemindarry bears to the aggregate produce thereof, (ſuch produce to be eſtimated according to the rule preſcribed in the firſt article); and that, ſhould either of the ſharers fall in arrears within three years after the year in which the diviſion is made, and it ſhould be proved to the ſatisfaction of Government that the balance aroſe not from any miſconduct or miſmanagement of the proprietor, or any calamity of ſeaſon ſubſequent to the diviſion, but in conſequence of his ſhare having been charged at the time of the diviſion with a greater proportion of the public revenue than ought to have been aſſeſſed upon it, comparing its produce with that of the other ſhares of the Zemindarry, agreeably to the principles laid down in the firſt article, that they will make good from the other ſhares the ſum in which the defaulting ſharer may appear to have been ſo over aſſeſſed from the

time of the diviſion to the end of the year in which the deficiency may have ariſen (the amount ſo made good to be appropriated to the liquidation of the balance due to Government,) and that they will further ſubmit to ſuch new allotment of the public Jumma upon their ſeveral ſhares, from the commencement of the following year, as Government may think equitable. The Collector, upon the receipt of the paper of partition and the writing abovementioned, ſhall examine, in concert with his public officers, the liſt of the Mehals or villages in each ſhare, and the proportion of the public Jumma aſſeſſed thereon; and if there ſhall appear to him no objection to the diviſion of the lands, or to the diſtribution of the public Jumma on the ſeveral ſhares, he ſhall confirm the ſame, and after obſerving the inſtructions contained in the 8th article, put the parties in poſſeſſion accordingly; and forward atteſted copies of the papers of partition, and of the writing abovementioned to the Board of Revenue. If there ſhall appear to the Collector any objection to the allotment of the lands, or to the diſtribution of the public revenue on the ſeveral ſhares, he ſhall after due inquiry make ſuch alteration therein as he ſhall think proper, conſiſtent with theſe Regulations; and after obſerving the inſtructions contained in the eighth article, and provided none of the parties ſhall ſignify their intention to appeal from his deciſion, give poſſeſſion to the parties accordingly.

3*d*. If the ſharers ſhall decline making the diviſion themſelves, or if after having undertaken to make the diviſion they ſhall diſagree reſpecting it, and ſhall not have completed it by the period limited; they ſhall be at liberty to appoint arbitrators for that purpoſe, executing an obligation to abide by their award. The arbitrators ſhall fix a period for the delivery of their award, and appoint an umpire to decide all differences of opinion that may ariſe between them. They ſhall alſo bind themſelves by an oath to complete the diviſion of the lands, and to diſtribute the public revenue upon the ſeveral ſhares fairly and impartially, agreeably to the principles preſcribed in the firſt article. When the award is completed, the arbitrators ſhall ſign and deliver it to the Collector, who ſhall immediately furniſh the ſeveral ſharers with a copy of it. The award ſhall be binding on the parties, unleſs either of them ſhall prove that the arbitrators have been guilty of corruption or groſs partiality. In caſes where either of the parties ſhall charge the arbitrators with corruption or groſs partiality, the Collector ſhall duly try ſuch charge, and either confirm or amend the award, or ſet it aſide, and leave the parties to appoint a new arbitration, according as may appear to him proper, conſiſtent with theſe Regulations. Either of the parties, diſſatisfied with the deciſion of the Collector, whether confirming, ſetting aſide, or amending the award, ſhall be at liberty to appeal therefrom to the Board of Revenue. If the parties ſhall acquieſce in the award, the Collector is nevertheleſs to examine the ſame in concert with his public officers, and if it ſhall appear to him in any reſpect contrary to theſe Regulations, he ſhall ſet aſide, confirm, or alter the award, as may appear to him proper, conſiſtent with theſe Regulations, leaving the parties who may be

dissatisfied with his decision, to appeal to the Board of Revenue. If the parties shall acquiesce in the award, and the Collector shall approve thereof, he shall put the parties in possession accordingly, previously observing the directions contained in the eighth article.

4th. In consideration of the objections which proprietors of estates may entertain to disclosing the profits they derive from their lands, and as an encouragement to them to make the division themselves, or to appoint arbitrators for that purpose, whereby much delay, trouble, expence, and often injustice, may be prevented; neither the proprietors nor their arbitrators shall be required to disclose the gross produce of the estate, or any part thereof, if they think proper to conceal the same, it being sufficient for the security of the public revenue, that it be distributed on the several shares agreeably to the principles above directed; and Government having it always in its power to alter the allotment of the Jumma on the several shares, if it should appear at the time of the division, or should be proved within three years following the year in which the division may be completed, not to have been made in conformity to those principles. It is not meant however by this Regulation, to prohibit the Collector requiring from the parties or their arbitrators the accounts of the collections of any Mehals or villages in cases in which he shall entertain doubts of the revenue of Government having been equitably allotted thereon by the sharers or arbitrators, and in which the examination of such accounts shall appear to him essentially necessary for ascertaining the proportion of the public Jumma which ought to be allotted on such Mehals or villages agreeably to the principles prescribed in the first article.

5th. If the parties shall decline making the division themselves, or to appoint arbitrators for that purpose, in the cases in which they are authorized to appoint them, the Collector shall depute an Ameen duly qualified to make the division. The Ameen, previous to entering upon the duty, shall bind himself by an oath to make the division of the lands and the allotment of the public revenue on the several shares fairly and impartially according to the rules laid down in the first article, and not to receive, directly or indirectly, any money or effects from the proprietors of the estate, or to derive any benefit whatsoever from his deputation, except the allowances which may be expressly granted to him by Government. He shall also execute an engagement to pay to Government the amount of any sums or the value of any goods or effects he may be convicted of receiving contrary to his oath, with a fine of twice the amount of the money or value of the effects so received.

6th. The Ameen shall proceed to the spot attended by the parties or their Vakeels, and shall ascertain the produce of the several Mehals and villages from the accounts and records of the Zemindary or property to be divided (which the parties are hereby required to furnish upon his requisition) or by a measurement, or such other means as it has been

cuſtomary to have recourſe to for aſcertaining the groſs collections of Mehals or villages under the mode of diviſion hitherto in uſe; and after having completed the diviſion of the lands, and the diſtribution of the public Jumma on the ſeveral ſhares, he ſhall ſubmit the particulars thereof in writing to the Collector. The Collector ſhall furniſh the ſharers with a copy of the paper of partition, and if any of them ſhall object to it, the Collector ſhall try ſuch objections, and paſs ſuch deciſion thereon as he may think proper, conſiſtent with theſe Regulations. If any of the parties ſhall be diſſatisfied with his deciſion, they will be at liberty to appeal to the Board of Revenue. If the parties ſhall acquieſce in the diviſion of the lands, and the diſtribution of the public Jumma on the ſeveral ſhares made by the Ameen, the Collector is nevertheleſs duly to examine the ſame in concert with his public officers, and to make ſuch alterations therein as may appear to him proper, conſiſtent with theſe Regulations, leaving the parties who may be diſſatisfied with his deciſion to appeal to the Board of Revenue. If the parties ſhall acquieſce in the diviſion of the lands, and the diſtribution of the revenue of Government on the ſeveral ſhares as made by the Ameen, and the Collector ſhall approve thereof, the Collector ſhall put the parties in poſſeſſion, after having obſerved the directions contained in the eighth article.

7th. If a Zemindary or other landed property, ordered to be divided, ſhall not conſiſt of a ſufficient number of Mehals or villages to allow of one or more entire Mehals or villages being allotted to each ſharer, the portions of Mehals or villages included in each ſhare ſhall nevertheleſs be contiguous and compact as far as may be practicable, and in every other reſpect the diviſion ſhall be made agreeably to the principles preſcribed in theſe Regulations.

8th. To remove as far as poſſible every inducement to fraud or partiality in the diviſion of eſtates, whether made by the parties themſelves, by arbitrators, or by an Ameen, it ſhall be a rule that when the Mehals or villages to be included in each ſhare are finally determined upon, and the diſtribution of the public revenue on each ſhare is adjuſted, if there be only two ſharers, and they are to receive equal proportions, or if there ſhall be three or more ſharers, and two or more of them are to receive equal ſhares, the perſons ſo ſharing equally, ſhall draw lots for the choice of the ſhares in the public Cutcherry in the preſence of the Collector (who will be held reſponſible, that in drawing the lots no unfair means are made uſe of by the parties or any other perſon whomſoever) unleſs they ſhall ſettle amongſt themſelves reſpecting the allotment of the ſhares, in which caſe they ſhall deliver to the Collector a writing atteſted by two creditable witneſſes, ſpecifying the ſhares which each party has agreed to take. The Collector, upon the receipt of this writing, ſhall put the ſharers in poſſeſſion of the ſhares which they have reſpectively choſen.

9th. If a dwelling houſe belonging to one ſharer ſhall be ſituated in a Mehal or village which may be included in the ſhare of another, the proprietor of ſuch houſe ſhall be

at liberty to retain it with the offices, buildings, and ground immediately attached to it, upon paying to the proprietor of the Mehal or village an equitable ground-rent for the ſame; and the limits of the ground, and the rent to be paid for it, ſhall be particularized in the paper of partition.

10*th*. Tanks, water courſes, and Bunds or embankments, ſhall be conſidered as attached to the ſame land for the benefit of which they were originally made. In caſes in which, from the extent, ſituation, and conſtruction of works of this nature, it ſhall be found neceſſary to continue them the joint property of two or more of the ſharers, the paper of partition ſhall ſpecify, as far as circumſtances will admit, the proportion of the benefit which each ſharer is entitled to derive therefrom, and of the expence of the repairs with which each ſhare is to be charged.

11*th*. Places of worſhip that were held in common, previous to the diviſion of a Zemindaree or eſtate, ſhall be continued on the ſame footing, unleſs the parties ſhall otherwiſe agree amongſt themſelves, in which caſe they ſhall ſignify their determination regarding the ſame in writing to the Collector, to the end that it may be inſerted in the paper of partition.

12*th*. Joint eſtates ordered to be divided ſhall continue under charge of the manager directed to be appointed by the general Regulations for the decennial ſettlement, until the diviſion ſhall have been finally adjuſted, and the parties put in poſſeſſion of their reſpective ſhares. If the diviſion of the lands, and diſtribution of the public revenues on the ſeveral ſhares, ſhall have been made by the parties, and the Collector ſhall have confirmed the ſame, he ſhall put the parties in poſſeſſion of the ſhares which may be allotted to them without delay. In every other caſe the Collector ſhall not proceed to put the parties in poſſeſſion, but ſhall continue the lands under the charge of the manager, until the time allowed for appealing from his final deciſion, confirming or altering the diviſion of the lands and the diſtribution of the public revenue on the ſhares (whether the ſame ſhall have been made by the parties, by arbitrators, or by an Ameen,) has elapſed, unleſs all the parties ſhall by a written application under their reſpective ſignatures deſire to be put in poſſeſſion of the ſhares allotted to them under ſuch deciſion, without waiting for the lapſe of the time allowed for appeals. In like manner the Collector ſhall not give poſſeſſion to the parties under the deciſion of the Board of Revenue, until the time allowed for appealing therefrom to the Governor General in Council ſhall have elapſed, unleſs all the parties by a written application under their reſpective ſignatures ſhall deſire to be put into poſſeſſion of the ſhares allotted to them under ſuch deciſion, without waiting for the lapſe of the period allowed for appeals.

13th. New names are not to be given in the public accounts to the diviſions or ſubdiviſions of landed property. The ſhares at the firſt diviſion are to be denominated Kiſmuts or diviſions of the Zemindaree or property of which they formed a part. In like manner all ſubdiviſions of the original ſhares are to be denominated Kiſmuts or diviſions of thoſe ſhares. The proportion which the original ſhares bear to the whole Zemindaree, and the ſubdiviſions to the ſhares of which they conſtitute a part, is to be expreſſed in all public accounts by the component parts of a Rupee, conformably to the preſent practice.

14th. All expences, incurred in making the diviſion of landed property, are to be borne by the proprietors in the proportion that their ſeveral ſhares bear to the whole Zemindaree, or property divided. By this rule a proprietor of a ſixteenth or one Anna ſhare, will defray a ſixteenth of the expence; and the other ſharers in proportion.

15th. If any of ſharers ſhall be minors or females, or otherwiſe come under the denomination of diſqualified landholders, as deſcribed in the general Regulations for the decennial ſettlement, the Collector is to tranſmit information thereof to the Court of Wards. It ſhall be the particular buſineſs of that Court to ſee that the rights of the ſharers labouring under ſuch diſqualifications are duly attended to in the diviſion.

16th. If any of the ſharers, from indiſpoſition or other cauſe, ſhall be unable or ſhall not chooſe to attend the Collector in perſon for the adjuſtment of the diviſion, they ſhall depute a Vakeel duly appointed with full and ſpecial powers to perform all ſuch acts as principals are authorized or required to do by theſe Regulations, until the diviſion ſhall be finally adjuſted.

17th. In every caſe in which an appeal is allowed under theſe Regulations to the Board of Revenue from deciſions paſſed by the Collector, the petition of appeal is to be preſented to the Collector or to the Board of Revenue within ſix weeks after the party ſhall have received a copy of the deciſion. If the petition of appeal ſhall not be ſo preſented within the above-mentioned period, the deciſion of the Collector ſhall be final. In like manner, if any of the parties ſhall think proper to appeal to the Governor General in Council from the deciſion of the Board of Revenue, the petition of appeal is to be preſented to the Governor General in Council, or to the Board of Revenue, within one month after the party ſhall have received a copy of the deciſion. The Board of Revenue, and the Collectors, ſhall deliver a copy of all deciſions to the parties immediately the ſame ſhall be paſſed, and ſhall take from them a receipt for ſuch copy, ſpecifying the date of its delivery.

REGULATIONS *for empowering* LANDHOLDERS *and* FARMERS *of* LAND, *to diſtrain and ſell the perſonal property of* Under-Farmers, Ryots, *and* Dependant Talookdars, *and (in certain ſpecified caſes) their* Securities, *for arrears of* RENT *or* REVENUE, *and for preventing* Landholders *and* Farmers *of* Land, *confining or inflicting corporal puniſhment on their* Under-Farmers, Ryots, *or* Dependant Talookdars, *or their* Securities, *to enforce payment of arrears.—Paſſed by the* GOVERNOR GENERAL *in* COUNCIL, *on the 20th July*, 1792.

From the exiſting Regulations not defining the nature and extent of the coercion which landholders and farmers of land may legally exerciſe over their under farmers, Ryots, and dependant Talookdars, to enforce payment of arrears of rent or revenue, many landholders and farmers, availing themſelves of the ſanction of former uſage, have recourſe to the moſt oppreſſive means for realizing arrears, and frequently employ the ſame ſeverities for the purpoſes of extortion; whilſt others, doubtful what meaſures they are empowered to adopt to enforce payment from defaulters, and apprehenſive of ſubjecting themſelves to proſecution for oppreſſion, refrain from all compulſion, and are often defrauded of arrears to which they are juſtly entitled.—Theſe defects in the Regulations tending to ſkreen oppreſſion and diſhoneſty on the one hand, and to diſcourage moderation and good faith on the other, and it being as eſſential to the proſperity of the country and the punctual collection of the public revenue, that landholders and farmers of land ſhould have the means of compelling payment from defaulters without being obliged to have recourſe to the Courts of Juſtice, and incurring the delay and expence neceſſarily attending a law proceſs for the recovery of every arrear, as that under farmers, Ryots, and dependant Talookdars ſhould be protected from oppreſſion and unjuſt demands, the Governor General in Council, with a view to the attainment of theſe important objects, has paſſed the following Regulations, which are to ſuperſede all exiſting rules and uſages repugnant thereto.

Firſt. Zemindars, independent Talookdars, and other actual proprietors of land, and farmers of land who hold their farms immediately of Government, are empowered to diſtrain without ſending notice to the Collector or any officer of Government (excepting the after notice directed to be given in the caſes of defaulters employed in the proviſion of the Company's inveſtment, or the manufacture of ſalt, as ſpecified in the 30th article), the crops and products of the earth of every deſcription, the grain, cattle, and all other perſonal property belonging to their under renters and Ryots, and the Talookdars paying

revenue through them, for arrears of rent or revenue, and to cauſe the ſame to be ſold for the diſcharge of ſuch arrears. The ſame powers are likewiſe veſted in dependant Talookdars for the recovery of arrears of rent from their under farmers and Ryots, and alſo in under farmers who farm lands from Zemindars, independent Talookdars, or other actual proprietors of land, or dependant Talookdars, or farmers of land who hold their farms immediately of Government, to enable ſuch under farmers to enforce payment of arrears of rent or revenue from their Ryots, under farmers, or dependant Talookdars. The ſeveral deſcriptions of landholders and farmers of land above ſpecified are to exerciſe the powers veſted in them by this article under the following rules and reſtrictions.

Second. Perſons veſted with the power of diſtraint ſhall not diſtrain or ſell the lands, houſes, or other real property of their under farmers and Ryots, or the Talookdars paying revenue through them, nor goods or advances belonging to the Company in the hands of any weaver, manufacturer, or other perſon employed in the proviſion of their inveſtment, nor the loom, thread, unwrought ſilk or materials of manufacture of any weaver or manufacturer, nor the tools of any tradeſman or labourer ſtanding towards them in the relation of under farmer, Ryot, or dependant Talookdar. All ſuch diſtraints and ſales are declared illegal and void. The defaulter ſhall ſtand acquitted of the arrear for which the diſtreſs may be levied, and the Collector ſhall cauſe the property to be reſtored to him, or compel the diſtrainer to make good to him the value thereof, if it ſhall be perſonal property, and ſhall have been deſtroyed, damaged, or injured, or ſhall not be forthcoming, and alſo oblige the diſtrainer to pay to him damages adequate to the loſs which he may prove to have ſuſtained in conſequence of ſuch attachment or ſale, with all coſts of ſuit.

Third. The ploughs and implements of huſbandry, the cattle actually trained to the plough, and the ſeed grain of under farmers, Ryots and dependant Talookdars ſhall not be diſtrained for arrears, provided the defaulter ſhall poſſeſs, and the diſtrainer ſhall have it in his power to attach, other cattle, grain, or property ſufficient for the diſcharge of the arrear. Diſtrainers are enjoined to attend ſtrictly to this rule, and the Collectors are required to puniſh any deviation from it by awarding to the party aggrieved damages adequate to the injury he may have ſuſtained, with all coſts of ſuit.

Fourth. Under farmers, Ryots, and dependant Talookdars, ſhall not be conſidered to have defaulted until the arrears have been ineffectually demanded from them and alſo from their ſecurity, if they ſhall have given a ſecurity and he ſhall be forthcoming; and when, as the laſt reſource, an attachment ſhall be iſſued againſt the propery of a defaulter, the reponſibility of the ſecurity ſhall not be thereby in any degree diminiſhed.

Fifth. If any perſon veſted with the power of diſtraint ſhall attach or cauſe to be ſold the property of any under farmer, Ryot, or dependant Talookdar, for arrears of rent or revenue, and it ſhall appear upon trial before the Collector that no arrear was due; the

diſtrainer ſhall be compelled to reſtore the property to the owner, or to make good to him the value thereof, if it ſhall have been ſold, damaged, injured or deſtroyed, or ſhall not be forthcoming, and to pay to him as damages a ſum adequate to the value of ſuch property, and all coſts of ſuit.

Sixth. If the defaulter in the preſence of two creditable witneſſes ſhall tender the arrears demanded of him to the perſon deputed to attach his property, ſuch perſon ſhall receive the arrears and ſhall not proceed to the attachment.

Seventh. Diſtrainers ſhall deliver to the perſon, whom they may depute to attach the property of a defaulter, a writing under their ſeal and ſignature ſpecifying the amount of the arrear for which the attachment is iſſued, and the date on which ſuch arrear became due. The perſon ſo deputed ſhall produce this writing as his authority for making the attachment, and on the day on which he may attach the property, ſhall deliver a copy thereof to the ſtated defaulter, endorſing thereon a liſt or inventory of the property attached, and the name of the place where it may be lodged or kept, with a notice that it will be ſold on the fifteenth day commencing from the day following the day on which the attachment took place, or, if the property attached ſhall conſiſt of crops or other ungathered products of the earth, within fifteen days calculating from the day following the day on which ſuch crops or products may be ſtored as directed in the twelfth article, unleſs the arrear and expences of the attachment ſhall be previouſly diſcharged, or he ſhall conteſt the demand, and procure the attachment to be withdrawn in the manner hereafter ſpecified. If the defaulter ſhall be abſent, a copy of the above writing, with the preſcribed endorſement, ſhall be fixed up or left at his uſual place of reſidence before the expiration of the third day, calculating from the day of the attachment. If any perſon, veſted with the power of diſtraint, ſhall cauſe any property to be attached without furniſhing the agent whom they may employ for that purpoſe with the writing above directed, or if ſuch agent ſhall be furniſhed with the writing preſcribed, and ſhall omit to deliver a copy of it with the required endorſement to the defaulter, or, in the event of his abſence, to leave ſuch copy at his uſual place of reſidence within the period limited, the diſtrainer ſhall not be entitled to recover the arrear for which the diſtreſs may have been levied, and the Collector ſhall cauſe him to reſtore the property to the defaulter, or the value thereof if it ſhall have been ſold, damaged, injured, or deſtroyed, or ſhall not be forthcoming, and to pay all coſts of ſuit.

Eighth. If an attachment for arrears ſhall have been iſſued againſt the property of any under farmer, Ryot, or dependant Talookdar, who may not have given ſecurity to the diſtrainer for the payment of his rent or revenue, and ſuch under farmer, Ryot, or dependant Talookdar ſhall diſpute the juſtneſs of the demand, and within five days com-

mencing from the day following the day of the attachment, or, if the property attached shall consist of crops or other ungathered products of the earth, within five days calculating from the day following the day on which such crops or products may be stored as directed in the twelfth article, shall enter into a bond before the Collector, the Cauzy of the Pergunnah, or the distrainer, with good security, binding himself to institute a suit in the Mâal Adaulut, or Court of the Collector, within fifteen days from the date of such bond for the trial of the demand, and to pay whatever sum may be adjudged to be due from him with interest thereon at the rate of twelve per cent per annum, to be calculated from the date on which the arrear that may be awarded became payable to the date of the decree, with all costs of suit, the distrainer shall immediately withdraw the attachment, and restore the property to the defaulter. If the defaulter shall fail to execute the bond within the period prescribed, the distrainer shall be at liberty to keep the property under attachment and to cause it to be sold in the manner directed in the twenty first article, unless the arrear with the expences of the attachment shall be discharged previous to the day of sale. If the defaulter shall execute the bond but omit to institute the suit in the Court of the Collector by the time prescribed, the distrainer shall demand payment of the arrear from the security; and in the event of his not discharging the amount immediately, the distrainer shall be at liberty to issue an attachment against the personal property of the security and the defaulter or either of them, and to cause it to be sold unless the arrear and the expences of the attachment shall be discharged previous to the day of sale.

Ninth. If an attachment for arrears shall have been issued against an under farmer, Ryot, or dependant Talookdar, who may have given security for the payment of his rent or revenue, and such under farmer, Ryot, or dependant Talookdar shall dispute the justness of the demand, and the security within five days commencing from the day following the day of the attachment, or, if the property attached shall consist of crops or other ungathered products of the earth, within five days calculating from the day following the day on which such crops or products may be stored as directed in the twelfth Article, shall deliver a writing, attested by two witnesses, to the Collector, the Cauzy of the Pergunnah or the distrainer engaging that either he or the stated defaulter will institute a suit in the Mâal Adaulut within fifteen days from the date of such writing, to try the demand, and to pay the amount that may be adjudged against them with interest thereon at the rate of twelve per cent per annum, to be calculated from the date on which the arrear that may be awarded became payable to the date of the decree, with all costs of suit, the distrainer shall immediately withdraw the attachment. If the security shall fail to execute such writing within the prescribed period, the distrainer shall continue the property under attachment, and cause it to be sold in the manner directed in the twenty-first

Article, unleſs the arrears and the expences attending the attachment, ſhall be diſcharged previous to the day of ſale. If the ſecurity ſhall execute the writing, but fail to have the ſuit inſtituted either in his own name or that of the defaulter within the limited period, the diſtrainer ſhall demand payment of the arrears from the ſecurity; and in the event of his omitting to diſcharge the amount immediately, the diſtrainer ſhall be at liberty to iſſue an attachment againſt the perſonal property of the ſecurity and the defaulter or either of them, and to cauſe it to be ſold in the manner directed in the twenty-firſt Article, unleſs the arrears and the expences attending the attachment ſhall be diſcharged prior to the day of ſale. If the ſecurity of the ſtated defaulter ſhall refuſe or omit to enter into the writing required, or if he ſhall happen to be at a diſtance ſo as to render it impoſſible for him to execute ſuch writing within the preſcribed time, and ſuch defaulter in either of theſe caſes ſhall give the ſecurity required from the defaulters ſpecified in the preceding Article, the diſtrainer ſhall withdraw the attachment, and as far as regards ſuch arrear, the ſaid diſtrainer, defaulter, and ſecurity, ſhall be conſidered in every reſpect in the ſame predicament as the diſtrainers, defaulters, and ſecurities mentioned in the ſaid preceding Article. Landholders and farmers of land are prohibited diſtraining or ſelling the property of the ſecurities of their under farmers, Ryots, and dependant Talookdars (nominal ſecurities excepted as deſcribed in the twenty-ſixth Article), under any pretext whatever, but in the caſes ſpecified in this and the preceding Article. In all other caſes, landholders and farmers of land are to have recourſe to the Mâal Adaulut or Court of the Collector for the recovery of any claims they may have on the ſecurities of their under farmers, Ryots, or dependant Talookdars. If any perſon ſhall diſtrain or ſell the property of a ſecurity excepting in the caſes above authorized, ſuch ſecurity, provided he be deſirous thereof, ſhall be diſcharged from his engagement, and the Collector ſhall cauſe the diſtrainer to reſtore the property to him, or to pay to him the value thereof, if it ſhall have been ſold, damaged, injured, or deſtroyed, or ſhall not be forthcoming, with all coſts of ſuit.

Tenth. If the defaulter ſhall tender payment of the arrears demanded of him in the preſence of two creditable witneſſes after his property ſhall have been attached and prior to the day fixed for its being put up to ſale, and alſo of the neceſſary expences attending the attachment, the diſtrainer ſhall receive the amount of ſuch arrears and expences immediately upon the ſame being tendered, and ſhall forthwith releaſe the property. In caſe of any diſpute ariſing reſpecting the expences of the attachment it ſhall be determined by the Collector, or the Cauzy of the Pergunnah. The Collectors are upon complaint made to them to puniſh any diſtrainer who may act contrary to this Regulation by awarding againſt him in favor of the party injured damages according to the circumſtances of the caſe, with all coſts of ſuit.

Eleventh Diſtrainers ſhall not drive or convey diſtrained cattle or other property out of the limits of the Pergunnah in which it may have been attached. The diſtrainer ſhall either leave the property upon the premiſes, in the charge of any perſon he may think proper, or drive or convey it with due care to a proper place as near as poſſible to the premiſes, within the limits of the Pergunnah.

Twelfth. Diſtrainers who ſhall attach the crops or any ungathered products of the earth, belonging to their under farmers, Ryots, or the Talookdars paying revenue through them, ſhall cauſe ſuch crops or products to be reaped or gathered in due ſeaſon, and ſtore the ſame in proper houſes, barns or granaries upon the premiſes, or, if there ſhall be no ſuch places on the premiſes, in any barn or proper place which can be procured as near thereto as poſſible within the limits of the Pergunnah. The expence of reaping or gathering and ſtoring ſuch crops or products ſhall be paid by the owner upon his redeeming the property, or from the proceeds of the ſale in the event of its being ſold.

Thirteenth. Diſtrainers ſhall not work the bullocks or cattle, or make uſe of the goods or effects diſtrained. They ſhall provide the neceſſary food for the cattle or live ſtock, the expence attending which ſhall be paid by the owner upon his redeeming the property, or from the proceeds of the ſale in the event of its being ſold.

Fourteenth. If property diſtrained ſhall be ſtolen, or loſt, or be damaged, injured, or deſtroyed by the weather or otherwiſe, whilſt in the poſſeſſion of the diſtrainer, owing to his not having taken the neceſſary precautions for the due keeping and preſerving the ſame, he ſhall make good the loſs or damage to the owner.

Fifteenth. The diſtreſs levied ſhall not be exceſſive, or in other words the property ſeized ſhall as nearly as poſſible be proportionate to the amount of the arrear. If any perſon veſted with the power of diſtraint ſhall attach any property the value of which ſhall be diſproportionate to the arrear, and it ſhall appear that he could have ſeized other property of leſs value, and which would have been ſufficient for the liquidation of ſuch arrear, the Collector ſhall award to the owner damages according to the circumſtances of the caſe, with all coſts of ſuit.

Sixteenth. All attachments ſhall be made after ſunriſe and before ſunſet. If any perſon veſted with the power of diſtraint ſhall ſeize or attempt to ſeize the property of any defaulter after ſunſet and before ſunriſe for the diſcharge of arrear; of rent or revenue, ſuch diſtrainer ſhall not be entitled to recover the arrear, and, if the property ſhall have been attached, ſhall reſtore it to the defaulter or the value of it, if it ſhall have been ſold, damaged, injured, deſtroyed, or ſhall not be forthcoming, with all coſts of ſuit.

Seventeenth. If any under farmer, Ryot, or dependant Talookdar, ſhall make a fraudulent conveyance or tranſfer of his property to prevent the attachment of it for arrears, the Collector upon proof thereof being made before him, ſhall cauſe the property to be delivered up to the diſtrainer, and ſhall compel the perſon to whom ſuch tranſfer or conveyance ſhall have been made to pay to the diſtrainer damages adequate to the value of one half of the property, with coſts of ſuit.

Eighteenth. If any under renter, Ryot, or dependant Talookdar, ſhall reſiſt the attachment of his property, or ſhall forcibly or clandeſtinely take it away after it ſhall have been attached, the Collector ſhall cauſe him and all perſons who may be proved to have been his aiders or abettors, to be impriſoned in the Foujedary jail until he ſhall reſtore the property to the diſtrainer, or the arrear ſhall have been liquidated by the diſtraint and ſale of other property, or otherwiſe diſcharged with the expences attending the attachment, and coſts of ſuit.

Nineteenth. If any perſon not being the owner, ſhall be convicted of forcibly or clandeſtinely taking away property that has been diſtrained, the Collector, upon proof thereof being made before him, ſhall cauſe ſuch perſon or perſons to be confined in the Foujedary jail until they reſtore the property, or make good the value thereof to the diſtrainer, and pay to him, as damages, a ſum equal to the value of ſuch property, and all coſts of ſuit.

Twentieth. Diſtrainers are empowered to force open any ſtable, cow-houſe, barn, Golah, granary or other building, and to enter any dwelling houſe the outer door of which may be open (excepting the apartments in ſuch dwelling houſe which may be appropriated for the Zenana or the reſidence of women), and to break open the door of any room in ſuch dwelling houſe for the purpoſe of attaching any property belonging to a defaulter which may be lodged therein. But nothing contained in theſe Regulations ſhall be conſtrued as authorizing perſons veſted with the power of diſtraint, or their ſervants or Agents, to enter the Zenana or private apartments of women, whether the doors or paſſages leading thereto be open or not; nor to force open and enter any dwelling houſe the outer door of which may be locked or barred. Perſons, entering the apartments of women, or forcing open the outer door of any dwelling houſe, ſhall be impriſoned in the Foujedary jail for ſix months, the diſtrainer ſhall not recover the arrears for which the attachment may have iſſued, and the Collector ſhall compel him to reſtore to the defaulter any property that may have been attached, or the value thereof if it ſhall have been ſold, damaged, injured, or deſtroyed, or ſhall not be forthcoming, and award againſt ſuch diſtrainer heavy damages, with all coſts of ſuit.

Twenty-first. After the expiration of the fifth day, and before the lapſe of the eighth day, calculating from the day following the day on which the attachment of the property of a defaulter ſhall have taken place, or, if the property attached ſhall conſiſt of crops or other ungathered products of the earth, after the lapſe of the fifth day, and before the expiration of the eighth day commencing from the day following the day on which ſuch crops or products were ſtored as directed in the twelfth Article, the defaulter ſhall apply to the Cauzy of the Pergunnah to have the ſame appraiſed and ſold. Upon the receipt of ſuch application, the Cauzy ſhall immediately fix up in the head Cutcherry of the Pergunnah a liſt of the property attached, with a notice of the day on which it will be ſold, which ſhall be the fifteenth day, commencing from the day following the day on which the attachment took place, unleſs the property ſhall conſiſt of crops or other ungathered products of the earth, in which caſe the ſale ſhall be made on the fifteenth day, calculating from the day following the day on which ſuch crops or products were ſtored as directed in the twelfth Article. The Cauzy ſhall nominate two creditable perſons competent by their profeſſion, trade, or occupation, to appraiſe the property. The perſons ſo appointed ſhall appraiſe the property according to the current price which the ſeveral articles may then bear in the country, and ſhall deliver the particulars of the appraiſement in writing, and atteſt the ſame with their ſeals and ſignatures, and ſhall make oath before the Cauzy that they have appraiſed the property according to the beſt of their knowledge and and judgment. The Cauzy ſhall affix his ſeal to the paper of appraiſement, and ſhall cauſe it to be ſtuck up in the Cutcherry. The property ſhall be brought to the Cutcherry on the morning of the day of ſale, in order that it may be examined by the perſons intending to bid, unleſs it ſhall conſiſt of grain or other products of the earth, the removal of which would be attended with conſiderable expence, in which caſe ſamples only, indiſcriminately taken from each article, ſhall be brought to the Cutcherry and expoſed for the purpoſe abovementioned. The property ſhall be put up to ſale in one or more lots as the Cauzy may think adviſable. The ſale ſhall commence at twelve o'clock in the day, and the property ſhall be diſpoſed of for the higheſt price that may be offered for it. If the property ſhall ſell for more than the amount of the arrear, the overplus, after deducting the charges attending the attachment and ſale of it, ſhall be returned to the defaulter. If the proceeds of the ſale ſhall be inſufficient for the diſcharge of the arrear and the expences attending the attachment and ſale, the diſtrainer ſhall be at liberty to attach other property belonging to the defaulter and to cauſe the ſame to be ſold to make good the deficiency. The Cauzy is in every caſe to examine the diſtrainer's ſtatement of the expences conſequent to the attachment and ſale of the property, and to reject any part thereof that may appear to him unreaſonable. If any perſon veſted with the power of diſtraint ſhall ſell or diſpoſe of property which he may have attached for arrears of rent or

revenue in any other mode than that preſcribed in this article, he ſhall forfeit the arrears for which the diſtreſs was levied to the defaulter, and make good to him the value of the property ſold or diſpoſed of, with all coſts of ſuit.

Twenty ſecond. The Cauzy is to be careful to prevent any unfair practices either in the appraiſement or ſale of property. Upon proof of his conniving at any ſuch practices, the Collector is immediately to report the particulars to the Board of Revenue for the information of the Governor General in Council, who will diſmiſs ſuch Cauzy from his office, and cauſe him to make good any loſs or injury that the defaulter may have therefore ſuſtained, with damages according to the circumſtances of the caſe, and all coſts of ſuit.

Twenty-third. The diſtrainer, the Cauzy, and the appraiſers are prohibited purchaſing directly or indirectly any part of the property. Any Cauzy or appraiſer offending againſt this Regulation ſhall be compelled to reſtore the property to the defaulter, or the full value thereof in the event of its being injured, damaged, deſtroyed or not forthcoming, and ſhall forfeit the purchaſe money, which ſhall be appropriated to the liquidation of the arrear, and pay all coſts of ſuit, and any Cauzy ſo offending ſhall moreover be diſmiſſed from his office. Diſtrainers acting contrary to this Regulation ſhall be compelled to reſtore the property to the defaulter, or the full value thereof if it ſhall have been injured, damaged, or deſtroyed, or ſhall not be forthcoming, and ſhall likewiſe forfeit to him the arrear for which the property was attached, and pay all coſts of ſuit.

Twenty-fourth. Neither the defaulter nor any other perſon on his behalf ſhall be permitted to bid for or purchaſe the property.

Twenty-fifth. The property ſhall be paid for within five days after the ſale, and the purchaſer ſhall not be permitted to carry away any part thereof until it ſhall be paid for. Should the purchaſer fail in the payment of the whole or part of the purchaſe money by the limited period, the whole of the property or the part thereof which may be unpaid for, ſhall be reſold by the Cauzy on ſuch day as he ſhall fix for whatever it may fetch. The defaulting purchaſer ſhall forfeit to the diſtrainer fifteen per cent, on the amount of the price for which he purchaſed the property ſo reſold, and make good to him any loſs that may ariſe on the reſale. If any profit ſhall accrue on the reſale, it ſhall be carried to the credit of the defaulter.

Twenty-ſixth. Perſons who tenant or underfarm lands in the names of their children, dependants or others, or in the names of fictitious perſons, and give themſelves as the oſtenſible ſecurity for the performance of the agreement, but retain the actual management of the lands, and in fact are themſelves the under renters or Ryots of ſuch lands, ſhall to all intents and purpoſes be conſidered as the under farmers or Ryots of ſuch lands,

and their property shall be liable to be distrained for arrears under these Regulations in the same manner as if the engagement for the lands had stood in their own names.

Twenty seventh. If any landholder or farmer of land shall confine or inflict corporal punishment on any under renter, Ryot, or dependant Talookdar, or their securities, to enforce payment of arrears of rent or revenue, such landholder or farmer shall not be entitled to recover the arrear, and the person so punished or confined, shall be at liberty to prosecute the offender for assault or imprisonment in the Criminal Court, or to institute a suit against him in the Court of the Collector, who shall award damages against such offender, according to the circumstances of the case, with costs of suit.—Securities so confined or having been made to suffer corporal punishment, provided they be desirous thereof, shall moreover be discharged from their engagement.

Twenty-eighth. In the event of the absence of the Cauzy or of there being no such officer stationed in the Pergunnah, the Canongoe, and in the event of the absence of the Canongoe, or of there being no such officer stationed in the Pergunna, the Tehsildar, or the Sezawul, and in the event of their absence, or of there being no such officers stationed in the Pergunnah, then such person as the Collector shall think proper to vest with authority for that purpose, may and shall respectively do all such acts as the Cuazy is authorized or directed to perform by these Regulations, and under the like restrictions and penalties as far as the latter can be inflicted.

Twenty-ninth. Upon the death of any person vested with the power of distraint by these Regulations, his heirs or successors who may be entitled to the arrears due to the deceased, shall be at liberty to distrain the property of the defaulters for the recovery of the same, agreeably to these Regulations.

Thirtieth. To prevent misconstruction it is declared, that the several descriptions of landholders, and farmers of land, specified in the first article are empowered under the restrictions contained in these Regulations, to attach and sell the property of persons employed in the provision of the Company's investment, or the manufacture of salt, for the recovery of arrears of rent or revenue, without previously stating the claim to the Company's Commercial Representative, or to the Collector of the district as directed in the ninth article of the Regulations for weavers, passed on the 23d July 1787, and the Regulation of the 15th September 1790, respecting balances due from Molunghees. It is to be understood however, that such part of the former Regulation as prohibits landholders or officers engaged in the collections, confining or placing Peons upon weavers or others, employed in the provision of the Company's investment, or summoning them to their Cutcherries for nonpayment of rent or revenue is to remain in full force. When the Collector shall find it necessary to summon persons employed in the provision of the in-

veſtment, he is to obſerve the proceſs preſcribed in the ſaid Regulation. It is further directed that diſtrainers, within three days, calculating from the day following the day of the attachment, after they ſhall have attached the property of any weaver or Molunghee, or other perſon employed in the proviſion of the Company's inveſtment or the manufacture of ſalt, ſhall ſend notice thereof to the Commercial Reſident or Salt Agent, or to the neareſt Commercial Factory or Salt Cutcherry, that the Commercial Reſident or Salt Agent may ſatisfy the demand, or cauſe ſuch ſteps to be taken in behalf of the defaulter as may be conſiſtent with theſe Regulations.

Thirty firſt. If any Gomaſtah, Agent, ſervant, or officer of any landholder, or farmer of land, ſhall attach or cauſe to be ſold the property of any under farmer, Ryot, or dependant Talookdar, or their ſecurities, or do any act in the attachment or ſale thereof contrary to theſe Regulations, the party aggrieved ſhall have his remedy againſt the principal of the offenders, for ſuch illegal attachment, ſale or act, whether the ſame took place, or was done by the orders or with the knowledge of ſuch principal or not.

Thirty-ſecond. Nothing contained in theſe Regulations ſhall be conſtrued to prohibit perſons whoſe property has been diſtrained or ſold from inſtituting a ſuit in the Court of the Collector againſt the diſtrainer, for any injury which he may think he has thereby ſuſtained. Nor to prevent the ſeveral deſcriptions of landholders or farmers of land, ſpecified in the firſt Article, from proſecuting as heretofore in the Mâal Adaulut or Court of the Collector for arrears due to them from any under farmer, Ryot, or dependant Talookdar, or their ſecurities, ſhould they prefer ſuch mode of procedure to diſtraining and ſelling the perſonal property of the defaulter and (in the caſes authorized) of his ſecurity for the recovery of the arrears under theſe Regulations.

Thirty-third. The Collectors are to hear and determine all ſuits that may be inſtituted under theſe Regulations, previous to any other ſuits that may be depending in their Mâal Adaulut or Revenue Court.

Thirty-fourth. An appeal ſhall lie to the Board of Revenue from all deciſions paſſed by the Collector under theſe Regulations, and from all deciſions paſſed by the Board of Revenue to the Governor General in Council, under the forty-ſecond, forty-third, and forty-fourth Articles of the Revenue Regulations of the 8th June, 1787.

The following Revenue Regulations, having been omitted under their proper dates, are here inserted.

PROCLAMATION *iſſued by the* GOVERNOR GENERAL *and* COUNCIL *on the 3d of October* 1777.

The right, which Government poſſeſſes to hidden treaſure wherever it may be diſcovered, having been productive of very great oppreſſions, the Governor General and Council hereby declare, that for the future all hidden treaſure ſhall be the property of thoſe who may diſcover it.

Letter from the BOARD *of* REVENUE *to* MR. DUNCAN, *dated 5th February* 1781.

The Honorable the Governor General and Council having thought fit to aboliſh the office of Superintendent of the Khalſa records, and to place the other offices of the Khalſa under a Committee of Revenue to be eſtabliſhed at the Preſidency in whom they have veſted the future management and adminiſtration of the public revenues of theſe provinces; I am to acquaint you, that they have been pleaſed to appoint you Preparer of Reports for the Revenue Department in which capacity you are, under the directions of this new Committee and the occaſional orders of the Board, to continue to exerciſe the ſame functions as in your late office under the Superintendent of the Khalſa records: and you are hereby required to obey all orders from the Committee accordingly.

EXTRACTS *of a letter from the* GOVERNOR GENERAL *in* COUNCIL *to the* BOARD *of* REVENUE, *5th February* 1787.

The Honorable the Court of Directors having preſcribed ſeveral Regulations for the arrangement of the Revenue Department; we think it neceſſary to communicate to you the following inſtructions in conformity thereto for your guidance.

We direct, that you prepare without loſs of time, and lay before us, a plan for the arrangement of the country into Collectorſhips in ſuch a manner as you may think beſt adapted to the currency of the buſineſs, and the mutual convenience of Government and the inhabitants.

In the formation of this plan you will attend to the following rules:

That each Zemindary is to continue undivided under one authority.

That in the diſpoſition of the ſeveral Pergunnas into Collectorſhips their contiguity be conſidered.

And that no Collectorſhip be ſo ſmall as 5,00,000 Sicca Rupees unleſs it be a frontier diſtrict, and particular circumſtances, which you are to ſtate, ſhould render ſuch a diſtinct eſtabliſhment expedient and neceſſary.

The Court of Directors having determined that it will tend more to ſimplicity, energy, juſtice, and œconomy to re-inveſt the Provincial Chiefs or Collectors with the ſuperintendency of the Courts of Dewannee Adaulut; it is our reſolution that their determination ſhall take effect from the commencement of the enſuing Bengal year 1194: you will therefore prepare the eſtabliſhments neceſſary for the Collectors in their judicial capacity, and ſpecify for our information, to what Collectorſhips the proceedings of the Judges are to be transferred in conſequence of the arrangement above directed.

The Collectors are to continue as at preſent to act under your immediate orders in all revenue matters, and to correſpond with us on any ſubjects relating to the adminiſtration of juſtice, or the general government of the country.

In order to prevent the interference of private Banyans or agents of any denomination, who have no official employ or reſponſibility; as well as for other conſiderations, the Court of Directors have ordered, that official Dewans ſhall be ſtationed with each Collector upon the principles of the Regulations of 1773 We deem it adviſable to permit the Collectors, to recommend the perſons ſtationed with them as Dewans, ſubject however to your confirmation, under this ſpecial reſtriction, that the perſons ſo recommended by them, ſhall not ſerve them as their private Banyans, or in any private capacity.

It is not our meaning, that the Dewans are to hold or exerciſe any authority independant of the Collectors, but in all reſpects to act under their immediate orders and controul.

The power of apprehending in criminal caſes, which by the Regulations of juſtice is veſted in the Judges of the Adaulut in their capacity of Magiſtrates, will of courſe be transferred to the Collector in his judicial capacity.

One of the principal objects of the 39th ſection of the act paſſed in the year 1784, is to ſettle and eſtabliſh upon principles of moderation and juſtice, according to the laws and conſtitution of India, the permanent rules by which their tributes, rents, and ſervices ſhall be in future rendered and paid to the Company by the Ryots, Zemindars, Polygars, Talookdars and other native landholders.

With a view to this point and in conformity to the orders of the Court of Directors, it is our intention, as ſoon as ſufficient materials and information ſhall have been obtained for that purpoſe, to ſettle a permanent revenue with each Zemindar for a long term of years.

But we are of opinion that the period is too ſhort for undertaking this ſettlement, at the commencement of the enſuing Bengal year, particularly as after the concluſion of ſuch a ſettlement, it is determined to leave the landholder in the uninterrupted management of his diſtrict, without renewing inquiries into the value and produce of his lands.

We direct however, that you keep this object conſtantly in view, and as preparatory to it, that you aſcertain as correctly as the nature of the ſubject will admit, what are the real juriſdictions, rights and privileges of Zemindars, Talookdars, and Jaghierdars, under the conſtitution and cuſtoms of the Muhamedan and Hindoo government, and what were the tributes, rents and ſervices which they were bound to render or perform to the ſovereign power, and in like manner thoſe from the Talookdars, to their immediate liege lord, the Zemindar; and by what rule or ſtandard they were or ought ſeverally to be regulated.

Theſe points will be beſt attained by a ſeries of queries drawn out by you, accommodated to real circumſtances, and propoſed to the moſt intelligent and experienced natives under your authority, either by yourſelves, or the ſervants ſtationed in different parts of the provinces, and you will tranſmit to us their ſeveral anſwers with ſuch further illuſtrations as will ariſe from your own experience and obſervation, or on a compariſon of the documents before you.

For the preſent, we direct that the ſettlement of 1194 be made for the period of one year only, and during the progreſs of it you will endeavour to collect the information above deſcribed, as well as what relates to the value of the lands, exiſting abuſes, or other matters which it may be neceſſary to conſider, arrange or determine previous to the formation of a permanent Jumma.

As ſoon as the plan for the arrangement of the country into Collectorſhips ſhall have obtained our ſanction, you will ſend orders to the different Collectors to form the ſettlement with the Zemindars and farmers under their reſpective juriſdictions.

The ſettlement in every practicable inſtance is to be made with the Zemindar; but as various objections may be againſt a Zemindar, which will render a deviation from this general rule in their favour, indiſpenſable, ſuch as incapacity from age, ſex, or lunacy, contumacy or notorious profligacy of character, we authorize you to exerciſe a diſcretion, in the choice of the perſons with whom the ſettlement is to be made, where ſuch objec-

tions exiſt, and to delegate the power of exerciſing the ſame diſcretion to the Collectors by whom the ſettlement is to be made ſubject nevertheleſs to your reviſion and controul.

In ſuch inſtances a diſcreet and reputable relation, by way of guardian or Dewan, is to be preferred before any temporary farmer, or ſervant of Government; but we know, that there are great difficulties in the matter, and that caſes may occur in which the letting the lands to a farmer is the only means of ſecuring the revenue of Government, and preſerving the inheritance of the Zemindar inviolate: you will therefore, where ſuch caſes do occur, regulate your conduct by the exigency of the caſe.

But wherever theſe deviations from our orders or recommendations take place, you will be careful to record them, as well as the reaſons on which they are founded, for our information.

We think it neceſſary to inform you, that the conſtruction put upon the ſtatute by the late Government, in conſequence of the queries ſubmitted to them by your Board previous to the ſettlement of 1170 has received the approbation of the Court of Directors, and we therefore recommend it to your attention; they alſo in general approve the principles laid down in your addreſs of the 12th April 1784.

With reſpect to the Jumma of the enſuing year we leave it to you, to fix the amount payable by the reſpective renters. In general we conceive, that the preſent aſſeſſment may be deemed fair for the Government to exact and the renters to pay: ſome variations may poſſibly be neceſſary; but, in all caſes where remiſſions upon the Jumma appear indiſpenſable, we direct that the reaſons for them be particularly ſtated for our information, and that no ſettlement with ſuch remiſſions be deemed confirmed until it has been reported to us and received our ſanction.

We are ſenſible, that many Regulations are requiſite to correct the abuſes that prevail in the internal detail of the collections, to prevent the oppreſſions exerciſed by the Zemindars and farmers over their under renters, or to afford preciſe means of detecting and puniſhing them when committed, and to put an end to the colluſions practiſed by the Moſuſſil renters upon each other, or by the Putwarries and Ryots upon the Zemindars. How far you may be able to eſtabliſh ſuch Regulations in the ſettlement of the enſuing year, we cannot determine, but we recommend them to your attention, that you may carry it into execution as far as the time left to you, and the information you have obtained, will admit. We particularly deſire that you will pay attention to model the Kiſtbundies of the renters, ſo as to make the Sudder demands correſpond with the Moſuſſil payments.

We deſire alſo, that you will reviſe the ſeveral Regulations that have at different periods been framed for the Revenue Department, and that you prepare from them for our

inſpection, one general code for the officers employed in this branch of the Government.

The Honorable Court of Directors have alſo been pleaſed to diſapprove the ſalaries allowed to the covenanted ſervants in the offices of Mazooly Dufter, inveſtigator or Aumeen general, Zemindarry Dufter, Canongoe Dufter, and Bazee Zemeen Dufter, and conſidering theſe offices as ſubſidiary branches of the Khalſa and other principal Cutcherries, direct that they ſhould be under the controul of the perſon who preſides in each reſpectively. In conſideration however of the benefit which has been repreſented to them to ariſe from the Mazooly Dufter, and on the ſuppoſition that it may be uſeful for ſome time longer in the adjuſtment of old accounts, they leave it to our diſcretion to continue it as long as we may deem it neceſſary for the public ſervice. We direct therefore, that you report to us your opinions on the utility of theſe offices in general; and in caſe you ſhould deem them uſeful, that you point out the manner in which you propoſe the duties of them (with an exception of the Mazooly Dufter,) to be carried on in future, agreeable to the orders of the Court of Directors.

We think it neceſſary alſo to notice for your information the diſapprobation of the Court of Directors of minute examinations or new local inveſtigations into the actual value of the lands. Though this muſt be adopted as a general principle, we do not mean abſolutely to preclude local inveſtigations in order to obtain a knowledge of the actual reſources of a diſtrict, where a want of all good information, or other circumſtances, may render it expedient.

The Provincial Adauluts at Moorſhedabad, Dacca, and Patna are to continue as at preſent.

We have already mentioned ſome parts of the information required previous to forming a ſettlement for a long term of years; your own experience will ſuggeſt many other points neceſſary to be aſcertained, but we think proper to communicate to you our wiſhes, to obtain an hiſtorical account of each Zemindarry throughout the country, beginning with its firſt eſtabliſhment, and tracing it through its various ſucceſſions to the preſent poſſeſſor, whoſe character as far as relates to his ability to tranſact and application to buſineſs we deſire you will add.

The accounts we imagine you will be enabled to prepare from the Canongoe's Records; and, where they may prove deficient, from the Zemindars themſelves.

In the ſame manner we deſire you will alſo prepare an account of the revenues of each diſtrict at the period the Company got poſſeſſion of the Dewannee and for each year from that period to the preſent time, tracing and explaining ſuch alterations as may have taken place in the Jumma

In theſe orders you will diſtinguiſh between ſuch as require immediate attention and thoſe which relate to a more diſtant period, carrying them into execution accordingly; but we think it neceſſary to add, that the plan of the arrangement of the country into Collectorſhips, is firſt and immediately required.

EXTRACT *from the Proceedings of the* BOARD *of* REVENUE *dated the 13th March* 1787.

The Preſident's Minute.

I have now the honor to lay before the Board, a plan for the diviſion of the country into Collectorſhips, agreeable to the rules preſcribed by the Right Honorable the Governor General in Council. It was my wiſh and intention to have prepared it in a more complete form, and to have accompanied it with all the ſubſidiary annexations and ſeparations of each Collectorſhip, together with a detailed eſtabliſhment for each, theſe are however ſubordinate conſiderations, and the advanced ſeaſon of the year does not admit of any further delay. The plan ſufficiently exhibits the outlines of the general arrangement for the conſideration of the Board and the determination of the Supreme Council, and will ſerve as a groundwork for the future detail. The following remarks, explanatory of the arrangement, will be uſeful in aſſiſting the deliberations of the Board upon this ſubject.

The preſent diviſion of the country contains thirty-ſix different eſtabliſhments for the collection of the revenues, eight of which have been created ſince my departure from Bengal in February 1785. The ſtatement now ſubmitted to you exhibits twenty-three Collectorſhips for the provinces of Bengal, Behar and Oriſſa, reckoning the ſalt diſtricts as one Collectorſhip only. The reduction has chiefly been made by reverting to former diſtributions antecedent to the appointment of the Councils of Revenue in 1774, with ſome occaſional variations. The re-annexation of Goragaut to Rungpoor, of Boggrie to Burdwan, of Tipperah to Chittagong, of Jallaſore to Midnapoor, reduces four of the preſent Collectorſhips; by uniting Beerbhoom and Biſhenpoor, Mahomedſhahy and Jeſſore, Futtehſing and Moorſhedabad, the abolition extends to three more. The amount rents collected reſpectively at Luſhkerpoor, Silberries and Houghly, being under the ſum limited by the Court of Directors, except in the caſes of frontier diſtricts; I have diſtributed the ſeveral diſtricts compoſing thoſe Collectorſhips in ſuch a manner as their ſituation indicated. The eſtabliſhments for collecting the revenue in the Dacca Province are reduced to two, and I propoſe the abolition of one in Behar which will make the total number

reduced thirteen. The number remaining is twenty-three, or, as Hedjeelee in the ſtatement comprehends both that and Tumlook, may be deemed twenty-four.

Little exception can I imagine be made to this arrangement, and if doubts may be entertained againſt the propriety of it, in any inſtances, they will ariſe principally with reſpect to Jellaſore and Tipperah. Theſe diſtricts are both frontiers, but I do not merely on this account deem independent eſtabliſhments neceſſary for them. With reſpect to Tipperah, conſidering the character of the Rajah, the detached ſituation of the country, its actual diſtance from Chittagong, and the improvement in the revenues by European management, the Board may perhaps think the continuance of ſuch an eſtabliſhment there neceſſary; but in that caſe I would propoſe, that it ſhould be under the charge of an Aſſiſtant and conſidered as a part of the Chittagong Collectorſhip in the ſame manner as heretofore under the ſuperintendence of Mr. CAMPBELL when Aſſiſtant at Chittagong in 1777. With reſpect to Jellaſore, I know no particular reaſons for the continuance of a Reſident there.

Sylhet and Ramgur are ſtated as Collectorſhips, although the aggregate amount of the revenues of both diſtricts does not exceed three Lacks and half: but the poſition, extent and nature of theſe diſtricts render it difficult to annex them to any other Collectorſhips, and preſerve a ſufficient local controul over them. If the Board concur with me in this opinion, they may conſider how far the ſuperintendence of Sylhet may be veſted in an aſſiſtant under the north eaſtern diviſion of Dacca; but I rather think, that it ſhould, as well as Ramgur, remain a ſeparate Collectorſhip.

The minute detail attending the collection of the rents of the town of Calcutta, requiring a conſtant and undivided attention, it ſtands amongſt the liſt of Collectorſhips: but I would propoſe that it ſhould be conſidered as an appendage of the Khalſa under the immediate ſuperintendence of an Aſſiſtant at a reduced eſtabliſhment. The expences attending the collection of the rents of the town of Calcutta muſt be in greater proportion than thoſe of other places, but it will I think appear obvious to the Board that the annual ſum of Rupees 34,440—9, for the collection of 129,157 Rupees, will admit of ſome reduction.

I have annexed the greateſt part of the Houghly Collectorſhip to the diſtrict of Kiſhenagur: to this diſpoſition ſome objections may be made, but I know not any other that is preferable.

The natural diviſion of the province of Behar by the rivers interſecting it, points out the propriety of four eſtabliſhments; two on the north and two on the ſouth ſide of the Ganges; theſe might indeed be reduced to two, but I am of opinion that four will be

more proper. The river Soane forms the line of ſeparation between the two Collectorſhips on the ſouth of the Ganges, thoſe on the north remain as at preſent.

The ſubſidiary accounts attending the arrangement, are prepared and ſhall be tranſlated as ſoon as poſſible. The Board will perceive that I have attended to their inſtructions to the Roy Royan, in the re-annexation of Talooks or ſmaller portions of land to the principal diviſions from which they have been ſeparated, or to which they are contiguous. I do not apprehend any material inaccuracy in this part of the arrangement, and, if any ſuch ſhould exiſt, it may be eaſily corrected hereafter. If the general arrangement ſhould obtain the concurrence of the Board, there will be little difficulty in completing the detail.

With the aſſiſtance of the Accountant General Mr. JOHNSON, I have made a conſiderable progreſs in preparing the eſtabliſhments for each Collectorſhip; but previous to the completion of them the opinions of the Board and deciſion of the Supreme Council upon this arrangement will be neceſſary.

As I imagine that a conſiderable reduction will take place in the revenue charges in conſequence of theſe arrangements, I propoſe to the Board that it be recommended to the Supreme Council to make ſome increaſe to the ſalaries of the Collectors by granting them a commiſſion upon the nett collections. At preſent it is well known, that their allowances are in few places equal only to their unavoidable diſburſements, and in general inferior to them.

If the Board approve the arrangement, I further propoſe that the Secretary and Accountant be directed to prepare a ſtatement of the different Collectorſhips as they now ſtand, ſpecifying the names of the ſeveral Collectors, Aſſiſtants, and Surgeons ſtationed at each and of the independent Adawlut eſtabliſhments, diſtinguiſhing ſuch as are reduced by this arrangement, that the Right Honorable the Governor General in Council may be enabled to determine by whom the Collectorſhips in future are to be occupied Conſidering the increaſed duties of the Collector, I ſhould propoſe that each ſhould be allowed two Aſſiſtants, and that even this number muſt be increaſed in proportion to the extent of the juriſdiction.

Reſolutions of the Board.

The Board, having maturely conſidered the arrangement propoſed by the Preſident, are agreed in the following reſolutions.

1*ſt*. That the general arrangement be approved.

2*d*. That with reſpect to Jellaſore the Board agree with the Preſident in ſeeing no particular reaſons for the continuance of a Reſident at that ſtation.

3*d*. That they alſo agree with the Preſident in thinking an Aſſiſtant at Tipperah neceſſary.

4*th*. That Sylhet and Ramgur remain diſtinct Collectorſhips.

5*th*. That the Preſident's propoſal of granting an additional allowance to the Collectors be approved and recommended to the Right Honorable the Governor General in Council.

6*th*. That the Secretary and Accountant be directed to prepare the accounts required in the Preſident's minute to be entered in this place.

Extract of Reſolutions of the GOVERNOR GENERAL *in* COUNCIL, 21*ſt March* 1787.

The Board, taking into conſideration the letter from the Board of Revenue and the papers accompanying it, are agreed in the following reſolutions.

That the propoſed general arrangement for the diſtribution of the country into Collectorſhips, be approved.

That if upon examination of the ſubſidiary accounts any particular alteration not affecting the general arrangement ſhould appear to the Board of Revenue neceſſary, they be authorized to adopt it, without further reference to this Council, only reporting the particulars.

That the arrangement reſpecting the reduction of the five Collectorſhips in the Behar Province to the number of four be ſuſpended until the concluſion of the preſent Behar year, when it is to take effect.

The Board approve the propoſal of the Preſident of the Board of Revenue for granting to the Collectors an additional allowance by way of commiſſion on the receipts, this Board reſerving to themſelves to determine the amount thereof, and the proportions at which it is to be paid.

Notification by the BOARD *of* REVENUE, 19*th April* 1790.

It having been reſolved by the Governor General in Council, that no perſons within the Company's Provinces ſhall in future make or vend ſpirituous liquors, without a licenſe from the Collector of the diſtricts, and that no tax ſhall be levied on the making or vending ſpirituous liquors, except on the part of Government; public notice is hereby given, that the firſt part of this reſolution will be inforced as ſoon as the form of licenſe and neceſſary Regulations relative thereto, ſhall have been determined on (of which further notification will be hereafter iſſued); and that in the mean time the latter part of the above reſolution prohibiting the levy of any tax on the making or vending of ſpirituous li-

quors, except on the part of Government, is to be conſidered in immediate force. The Collectors of the ſeveral diſtricts have been inſtructed to take charge of this collection and the rates of duty now levied are to be paid to them until the final regulation thereof ſhall have been determined on.

All perſons who may think themſelves aggrieved by this arrangement, are authorized to prefer a claim for a compenſation to the Collector of the diſtrict, who will inveſtigate the ſame, and paſs a deciſion thereon: ſubject to an appeal to the Board of Revenue if preferred within one month after the paſſing of the Collector's decree; and ſubject alſo to a further ultimate appeal to the Governor General in Council, if preferred within one month from the paſſing of the deciſion of the Board of Revenue.

Advertisement Publiſhed by the BOARD *of* REVENUE *on the 11th November* 1790.

The Governor General in Council having been pleaſed to direct, under date the 3d inſtant, that no European ſhall be allowed to poſſeſs or occupy ground, without the limits of Calcutta, now the property of natives, or erect any buildings thereon, without the ſanction of the Board of Revenue; public notice thereof is hereby given, and all Europeans who may be hereafter deſirous of poſſeſſing or occupying ground, the property of natives without the ſaid limit, or of erecting buildings thereon, are required to make previous application to the Board of Revenue, who will thereupon order the quantity and rent of the ground to be aſcertained by the Collector in whoſe diſtrict it may be ſituated, previous to the execution of the Pottahs.

Notification by the BOARD *of* REVENUE, *7th February* 1791.

In addition to the notification publiſhed on the 19th April laſt and republiſhed on this date, notice is now given, that a form of licenſe for the ſale of ſpirituous liquors and the neceſſary rules for regulating the ſame, having been determined on, and communicated to the ſeveral Collectors, the reſolution of the Governor General in Council, "that no perſons within the Company's Provinces, (the town of Calcutta excepted) ſhall in future make or vend ſpirituous liquors without a licenſe from the Collector of the diſtrict," is to be conſidered in immediate force, and all perſons found to diſtil, or vend ſpirituous liquors without a licenſe, after the expiration of ſufficient time for procuring the ſame are hereby declared liable to a fine, equal to three times the amount of the medium rate of the tax on licenſes in the ſame place, one half of which will be given to informers, it is further hereby notified that the reſolutions of Government, and requiſitions in conſequence, which have been extended to all intoxicating liquors whatever, and are to be conſidered equally applicable to ſuch not ſpirituous, as to thoſe of this deſcription: fur-

ther particulars of the rate of tax, form of license &c. will be communicated by the Collectors on application to them.

PROCLAMATION.

To the ZEMINDARS, INDEPENDENT TALOOKDARS, *and other* ACTUAL PROPRIETORS *of* LAND *paying* REVENUE *to* GOVERNMENT, *in the* PROVINCES *of* BENGAL, BEHAR, *and* ORISSA.

ARTICLE I.

In the original Regulations for the decennial settlement of the public revenues of Bengal, Behar, and Orissa, passed for these provinces respectively on the 18th September 1789, the 25th November 1789, and the 10th February 1790, it was notified to the proprietors of land, with or on behalf of whom a settlement might be concluded, that the Jumma assessed upon their lands under those Regulations would be continued after the expiration of the ten years, and remain unalterable for ever, provided such continuance should meet with the approbation of the Honorable Court of Directors for the affairs of the East India Company, and not otherwise.

ARTICLE II.

The Marquis CORNWALLIS, Knight of the Most Noble Order of the Garter, Governor General in Council, now notifies to all Zemindars, independent Talookdars, and other actual proprietors of land paying revenue to Government in the provinces of Bengal, Behar, and Orissa, that he has been empowered by the Honorable Court of Directors for the affairs of the East India Company to declare the Jumma which has been or may be assessed upon their lands under the Regulations abovementioned fixed for ever.

ARTICLE III.

The Governor General in Council accordingly declares to the Zemindars, independent Talookdars, and other actual proprietors of land, with or on behalf of whom a settlement has been concluded under the Regulations abovementioned, that, at the expiration of the term of the settlement, no alteration will be made in the assessment which they have respectively engaged to pay, but that they and their heirs and lawful successors will be allowed to hold their estates at such assessment for ever.

ARTICLE IV.

The lands of some Zemindars, independent Talookdars and other actual propietors of land, having been held Khas, or let in farm, in consequence of their refusing to pay the assessment required of them under the Regulations abovementioned, the Governor General in Council now notifies to the Zemindars, independent Talookdars, and other ac-

tual proprietors of land, whoſe lands are held Khas, that they ſhall be reſtored to the management of their lands, upon their agreeing to the payment of the aſſeſſment which has been or may be required of them in conformity to the Regulations abovementioned, and that no alteration ſhall afterwards be made in that aſſeſſment, but that they and their heirs and lawful ſucceſſors ſhall be permitted to hold their reſpective eſtates at ſuch aſſeſſment for ever: and he declares to the Zemindars, independent Talookdars, and other actual proprietors of land, whoſe lands have been let in farm, that they ſhall not regain poſſeſſion of their lands before the expiration of the period for which they have been farmed (unleſs the farmers ſhall voluntarily conſent to make over to them the remaining term of their leaſe and the Governor General in Council ſhall approve of the transfer); but that at the expiration of that period, upon their agreeing to the payment of the aſſeſſment which may be required of them, they ſhall be reinſtated; and that no alteration ſhall afterwards be made in that aſſeſſment, but that they and their heirs and lawful ſucceſſors ſhall be allowed to hold their reſpective eſtates at ſuch aſſeſſment for ever.

ARTICLE V.

In the event of the proprietary right in lands, that are, or may become, the property of Government, being transferred to individuals; ſuch individuals and their heirs and lawful ſucceſſors, ſhall be permitted to hold the lands at the aſſeſſment at which they may be transferred, for ever.

ARTICLE VI.

It is well known to the Zemindars, independent Talookdars, and other actual proprietors of land, as well as to the inhabitants of Bengal, Behar, and Oriſſa in general, that from the earlieſt times until the preſent period the public aſſeſſment upon the lands has never been fixed; but that according to eſtabliſhed uſage and cuſtom, the rulers of theſe provinces have from time to time demanded an increaſe of aſſeſſment from the proprietors of land, and that for the purpoſe of obtaining this increaſe, not only frequent inveſtigations have been made to aſcertain the actual produce of their eſtates, but that it has been the practice to deprive them of the management of their lands, and either to let them in farm, or to appoint officers on the part of Government to collect the aſſeſſment immediately from the Ryots. The Honorable Court of Directors, conſidering theſe uſages and meaſures to be detrimental to the proſperity of the country, have, with a view to promote the future eaſe and happineſs of the people, authorized the foregoing declarations; and the Zemindars, independent Talookdars, and other actual proprietors of land, with or on behalf of whom a ſettlement has been or may be concluded, are to conſider theſe orders fixing the amount of the aſſeſſment as irrevocable, and not liable to alteration by any perſons whom the Court of Directors may hereafter appoint to the adminiſtration of their affairs in this country.

The Governor General in Council truſts, that the proprietors of land, ſenſible of the benefits conferred upon them by the public aſſeſſment being fixed for ever, will exert themſelves in the cultivation of their lands under the certainty that they will enjoy excluſively the fruits of their own good management and induſtry, and that no demand will ever be made upon them, or their heirs or ſucceſſors, by the preſent or any future Government for an augmentation of the public aſſeſſment in conſequence of the improvement of their reſpective eſtates.

To diſcharge the revenues at the ſtipulated periods without delay or evaſion, and to conduct themſelves with good faith and moderation towards their dependant Talookdars and Ryots, are duties at all times indiſpenſably required from the proprietors of land; and a ſtrict obſervance of thoſe duties is now more than ever incumbent upon them, in return for the benefits which they will themſelves derive from the orders now iſſued. The Governor General in Council therefore expects, that the proprietors of land will not only act in this manner themſelves towards their dependant Talookdars and Ryots, but alſo enjoin the ſtricteſt adherence to the ſame principles, in the perſons whom they may appoint to collect the rents from them. He further expects, that, without deviating from this line of conduct, they will regularly diſcharge the revenue in all ſeaſons; and he accordingly notifies to them, that in future no claims or applications for ſuſpenſions or remiſſions on account of drought, inundation, or other calamity of ſeaſon will be attended to, but that in the event of any Zemindar, independent Talookdar, or other actual proprietor of land with or on behalf of whom a ſettlement has been or may be concluded, or his or her heirs or ſucceſſors, failing in the punctual diſcharge of the public revenue which has been or may be aſſeſſed upon their lands under the abovementioned Regulations, a ſale of the whole of the lands of the defaulter, or ſuch portion of them as may be ſufficient to make good the arrear, will poſitively and invariably take place.

ARTICLE VII.

To prevent any miſconſtruction of the foregoing articles, the Governor General in Council thinks it neceſſary to make the following declarations to the Zemindars, independent Talookdars, and other actual proprietors of land.

Firſt. It being the duty of the ruling power to protect all claſſes of people, and more particularly thoſe who from ſituation are moſt helpleſs, the Governor General in Council will, whenever he may deem it proper, enact ſuch Regulations as he may think neceſſary for the protection and welfare of the dependent Talookdars, Ryots, and other cultivators of the ſoil; and no Zemindar, independent Talookdar, or other actual proprietor of land, ſhall be entitled on this account to make any objection to the diſcharge of the fixed aſſeſſments, which they have reſpectively agreed to pay.

Second. The Governor General in Council having, on the 28th July 1790, directed the Sayer collections to be abolished, a full compenſation was granted to the proprietors of land, for the loſs of revenue ſuſtained by them in conſequence of this abolition; and he now declares, that, if he ſhould hereafter think it proper to re-eſtabliſh the Sayer collections, or any other internal duties, and to appoint officers on the part of Government to collect them, no proprietor of land will be admitted to any participation thereof, or be entitled to make any claims for remiſſions of aſſeſſment on that account.

Third. The Governor General in Council will impoſe ſuch aſſeſſment as he may deem equitable on all lands at preſent alienated and paying no public revenue, which have been or may be proved to be held under illegal or invalid titles. The aſſeſſment ſo impoſed will belong to Government, and no proprietor of land will be entitled to any part of it.

Fourth. The Jumma of thoſe Zemindars, independent Talookdars, and other actual proprietors of land which is declared fixed in the foregoing articles, is to be conſidered entirely unconnected with and excluſive of any allowances which have been made to them in the adjuſtment of their Jumma for keeping up Thannahs or Police eſtabliſhments, and alſo of the produce of any lands which they may have been permitted to appropriate for the ſame purpoſes; and the Governor General in Council reſerves to himſelf the option of reſuming the whole or part of ſuch allowances or produce of ſuch lands according as he may think proper, in conſequence of his having exonerated the proprietors of land from the charge of keeping the peace and appointed officers on the part of Government to ſuperintend the police of the country. The Governor General in Council however declares, that the allowances or produce of lands which may be ſo reſumed will be appropriated to no other purpoſe but that of defraying the expence of the Police, and that inſtructions will be ſent to the Collectors not to add ſuch allowances or the produce of ſuch lands to the Jumma of the proprietors of land, but to collect the amount from them ſeparately.

Fifth. Nothing contained in this proclamation ſhall be conſtrued to render the lands of the ſeveral deſcriptions of diſqualified proprietors ſpecified in the firſt article of the Regulations regarding diſqualified landholders paſſed on the 15th July 1791, liable to ſale for any arrears which have accrued or may accrue on the fixed Jumma that has been or may be aſſeſſed upon their lands under the abovementioned Regulations for the decennial ſettlement, provided that ſuch arrears have accrued or may accrue during the time that they have been or may be diſpoſſeſſed of the management of their lands under the ſaid Regulations of the 15th July 1791. It is to be underſtood however, that whenever all or any of the deſcriptions of diſqualified landholders ſpecified in the firſt article of the laſt mentioned Regulations ſhall be permitted to aſſume or retain the management of their lands in conſequence of the ground of their diſqualification no longer exiſting, or of the

Governor General in Council diſpenſing with, altering, or aboliſhing thoſe Regulations, the lands of ſuch proprietors will be held reſponſible for the payment of the fixed Jumma that has been or may be aſſeſſed thereon from the time that the management may devolve upon them, in the ſame manner as the lands of all actual proprietors of land who are declared qualified for the management of their eſtates, and alſo of all actual proprietors who are unqualified for ſuch management by natural or other diſabilities but do not come within the deſcriptions of diſqualified landholders ſpecified in the firſt article of the Regulations of the 15th July 1791, are and will be held anſwerable for any arrears that are or may become due from them on the fixed Jumma which they or any perſons on their behalf have engaged or may engage to pay under the abovementioned Regulations for the decennial ſettlement.

ARTICLE VIII.

That no doubt may be entertained whether proprietors of land are entitled under the exiſting Regulations to diſpoſe of their eſtates without the previous ſanction of Government, the Governor General in Council notifies to the Zemindars, independent Talookdars, and other actual proprietors of land, that they are privileged to transfer, to whomſoever they may think proper, by ſale, gift, or otherwiſe, their proprietary rights in the whole or any portion of their reſpective eſtates without applying to Government for its ſanction to the transfer; and that all ſuch transfers will be held valid provided that they be conformable to the Muhamedan or the Hindoo laws (according as the religious perſuaſions of the parties to each tranſaction may render the validity of it determinable by the former or the latter code); and that they be not repugnant to any Regulations now in force, which have been paſſed by the Britiſh adminiſtrations, or to any Regulations that they may hereafter enact.

ARTICLE IX.

From the limitation of the public demand upon the lands, the neat income, and conſequently the value, (independent of increaſe of rent obtainable by improvements,) of any landed property for the aſſeſſment on which a diſtinct engagement has been or may be entered into between Government and the proprietor, or that may be ſeparately aſſeſſed although included in one engagement with other eſtates belonging to the ſame proprietor, and which may be offered for public or private ſale entire, will always be aſcertainable by a compariſon of the amount of the fixed Jumma aſſeſſed upon it (which agreeably to the foregoing declarations is to remain unalterable for ever to whomſoever the property may be transferred) with the whole of its produce, allowing for the charges of management. But it is alſo eſſential that a notification ſhould be made of the principles upon which the fixed aſſeſſment charged upon any ſuch eſtate will be apportioned on the ſeveral diviſions

of it; in the event of the whole of it being transferred by public or private ſale or otherwiſe, in two or more lots, or of a portion of it being ſo transferred in one or in two or more lots, or of its being joint property, and a diviſion of it being made amongſt the proprietors: otherwiſe, from the want of a declared rule for eſtimating the proportion of the fixed Jumma with which the ſeveral ſhares would be chargeable in ſuch caſes, the real value of each ſhare would be uncertain, and conſequently the benefits expected to reſult from fixing the public aſſeſſment upon the lands would be but partially obtained. The Governor General in Council has accordingly preſcribed the following rules for apportioning the fixed aſſeſſment in the ſeveral caſes abovementioned; but as Government might ſuſtain a conſiderable loſs of revenue by diſproportionate allotments of the aſſeſſment were the apportioning of it in any of the caſes above ſpecified to be left to the proprietors, he requires that all ſuch tranſfers or diviſions as may be made by the private act of the parties themſelves be notified to the Collector of the Revenue of the Zilla in which the lands may be ſituated, or ſuch other officer as Government may in future preſcribe, in order that the fixed Jumma aſſeſſed upon the whole eſtate may be apportioned on the ſeveral ſhares in the manner hereafter directed, and that the names of the proprietors of each ſhare, and the Jumma charged thereon may be entered upon the public regiſters, and that ſeparate engagements for the payment of the Jumma aſſeſſed upon each ſhare may be executed by the proprietors, who will thenceforward be conſidered as actual proprietors of land. And the Governor General in Council declares, that if the parties to ſuch tranſfers or diviſions ſhall omit to notify them to the Collector of the Revenue of the Zilla, or ſuch other officer as may be hereafter preſcribed, for the purpoſes beforementioned, the whole of ſuch eſtate will be held reſponſible to Government for the diſcharge of the fixed Jumma aſſeſſed upon it, in the ſame manner as if no ſuch tranſfer or diviſion had ever taken place. The Governor General in Council thinks it neceſſary further to notify, in elucidation of the declarations contained in this article (which are conformable to the principles of the exiſting Regulations), that if any Zemindar, independent Talookdar, or other actual proprietor of land ſhall diſpoſe of a portion of his or her lands as a dependant Talook, the Jumma which may be ſtipulated to be paid by the dependant Talookdar will not be entered upon the records of Government, nor will the tranſfer exempt ſuch lands from being anſwerable in common with the remainder of the eſtate for the payment of the public revenue aſſeſſed upon the whole of it in the event of the proprietor or his or her heirs or ſucceſſors falling in arrear from any cauſe whatever, nor will it be allowed in any caſe to affect the rights or claims of Government any more than if it had never taken place.

Firſt. In the event of the whole of the lands of a Zemindar, independent Talookdar, or other actual proprietor of land, with or on behalf of whom a ſettlement has been or may

be concluded under the Regulations abovemen ioned, being expoſed to public ſale by the order of the Governor General in Council for the diſcharge of arrears of aſſeſſment, or in conſequence of the deciſion of a Court of Juſtice, in two or more lots, the aſſeſſment upon each lot ſhall be fixed at an amount which ſhall bear the ſame proportion to its actual produce, as the fixed aſſeſſment upon the whole of the lands ſold may bear to the whole of their actual produce. This produce ſhall be aſcertained in the mode that is or may be preſcribed by the exiſting Regulations, or ſuch other Regulations as the Governor General in Council may hereafter adopt, and the purchaſer or purchaſers of ſuch lands, and his, or her, or their heirs and lawful ſucceſſors, ſhall hold them at the Jumma at which they may be ſo purchaſed, for ever.

Second. When a portion of the lands of a Zemindar, independent Talookdar, or other actual proprietor of land, with or on behalf of whom a ſettlement has been or may be concluded under the Regulations before mentioned, ſhall be expoſed to public ſale by order of the Governor General in Council for the liquidation of arrears of aſſeſſment, or purſuant to the deciſion of a Court of Juſtice, the aſſeſſment upon ſuch lands, if diſpoſed of in one lot, ſhall be fixed at an amount which ſhall bear the ſame proportion to their actual produce, as the fixed aſſeſſment upon the whole of the lands of ſuch proprietor, including thoſe diſpoſed of, may bear to the whole of their actual produce. If the lands ſold ſhall be diſpoſed of in two or more lots, the aſſeſſment upon each lot ſhall be fixed at an amount which ſhall bear the ſame proportion to its actual produce, as the fixed aſſeſſment upon the whole of the lands of ſuch proprietor, including thoſe ſold, may bear to the whole of their actual produce. The actual produce of the whole of the lands of ſuch proprietor, whether the portion of them, which may be ſold, be diſpoſed of in one or in two or more lots, ſhall be aſcertained in the mode that is or may be preſcribed by the exiſting Regulations or ſuch other Regulations as the Governor General in Council may hereafter enact; and the purchaſer or purchaſers of ſuch lands, and his, or her, or their heirs or ſucceſſors, will be allowed to hold them at the Jumma at which they may be ſo purchaſed, for ever; and the remainder of the public Jumma, which will conſequently be payable by the former proprietor of the whole eſtate on account of the portion of it that may be left in his or her poſſeſſion, will continue unalterable for ever.

Third. When a Zemindar, independent Talookdar, or other actual proprietor of land, with or on behalf of whom a ſettlement has been or may be concluded, ſhall transfer the whole of his or her eſtate in two or more diſtinct portions to two or more perſons, or a portion thereof to one perſon, or to two or more perſons in joint property, by private ſale, gift or otherwiſe, the aſſeſſment upon each diſtinct portion of ſuch eſtate ſo transferred, ſhall be fixed at an amount which ſhall bear the ſame proportion to its actual produce, as the aſſeſſment upon the whole of the eſtate of the transferring proprie-

ter, of which the whole or a portion may be ſo transferred, may bear to the whole of its actual produce. This produce ſhall be aſcertained in the mode that is or may be preſcribed in the exiſting Regulations, or ſuch other Regulations as Government may hereafter adopt, and the perſon or perſons to whom ſuch lands may be transferred, and his, or her, or their heirs and lawful ſucceſſors ſhall hold them at the Jumma at which they may be ſo transferred, for ever: and (where only a portion of ſuch eſtate ſhall be transferred) the remainder of the public Jumma which will conſequently be payable by the former proprietor of the whole eſtate on account of the lands that may remain in his or her poſſeſſion ſhall be continued unalterable for ever.

Fourth. Whenever a diviſion ſhall be made of lands the ſettlement of which has been or may be concluded with or on behalf of the proprietor or proprietors, and that are or may become the joint property of two or more perſons, the aſſeſſment upon each ſhare ſhall be fixed at an amount which ſhall bear the ſame proportion to its actual produce, as the fixed Jumma aſſeſſed upon the whole of the eſtate divided, may bear to the whole of its actual produce. This produce ſhall be aſcertained in the mode that is or may be preſcribed by the exiſting Regulations, or ſuch other Regulations as the Governor General in Council may hereafter adopt, and the ſharers and their heirs and lawful ſucceſſors ſhall hold their reſpective ſhares at the Jumma which may be ſo aſſeſſed upon them, for ever.

ARTICLE X.

The following rules are preſcribed reſpecting the adjuſtment of the aſſeſſment on the lands of Zemindars, independent Talookdars, and other actual proprietors of land, whoſe lands are or may be held Khas or let in farm, in the event of their being diſpoſed of by public ſale or transferred by any private act of the proprietor, or of their being joint property, and a diviſion of them taking place amongſt the proprietors.

Firſt. If the whole or a portion of the lands of a Zemindar, independent Talookdar, or other actual proprietor of land who may not have agreed to the payment of the aſſeſſment propoſed to him or her under the Regulations abovementioned, and whoſe lands are or may be held Khas, or let in farm, ſhall be expoſed to public ſale, in one or in two or more lots purſuant to the decree of a Court of Juſtice, ſuch lands, if Khas, ſhall be diſpoſed of at whatever aſſeſſment the Governor General in Council may deem equitable, and the purchaſer or purchaſers of ſuch lands, and his or her or their heirs and lawful ſucceſſors ſhall hold the lands at the aſſeſſment at which they may be ſo purchaſed for ever. If the lands at the time of their being expoſed to ſale ſhall be held in farm, and ſhall be put up in one or in two or more lots, they ſhall be diſpoſed of under the following conditions. The purchaſer or purchaſers ſhall receive, during the unexpired part of the term of the leaſe of the farmer, whatever ſuch proprietor ſhall have been entitled to re-

ceive in virtue of his or her proprietary rights on account of the lands ſo purchaſed, and ſuch purchaſer or purchaſers ſhall engage to pay at the expiration of the leaſe of the former ſuch aſſeſſment on account of the lands as Government may deem equitable. The ſum to be received by the purchaſer or purchaſers during the unexpired part of the term of the leaſe of the farmer, and the Jumma to be paid by ſuch purchaſer or purchaſers after the expiration of the leaſe, ſhall be ſpecified at the time of the ſale, and ſuch purchaſer or purchaſers, and his or her or their heirs and lawful ſucceſſors, ſhall be allowed to hold the lands at the aſſeſſment at which they may be ſo purchaſed, for ever.

Second If a Zemindar, independent Talookdar, or other actual proprietor of land, whoſe lands are or may be held Khas, or let in farm, ſhall transfer by private ſale, gift, or otherwiſe, the whole or a portion of his or her lands in one, or in two or more lots, the perſon or perſons to whom the lands may be ſo transferred, ſhall be entitled to receive from Government, (if the lands are held Khas,) or from the farmer, (if the lands are let in farm,) the Malikonnah to which the former proprietor was entitled on account of the lands ſo transferred. The purchaſer or purchaſers of ſuch lands will ſtand in the ſame predicament as the Zemindars, independent Talookdars, or other actual proprietors of land mentioned in the fourth article, whoſe lands are held Khas, or have been let in farm in conſequence of their refuſing to pay the aſſeſſment required of them under the beforementioned Regulations for the decennial ſettlement, and the declarations contained in that article are to be held applicable to them.

Third. In the event of a diviſion being made of lands, that are or may become the joint property of two or more perſons, and which are or may be held Khas or let in farm, the proprietors of the ſeveral ſhares will ſtand in the ſame predicament with regard to their reſpective ſhares, as the Zemindars, independent Talookdars, and other actual proprietors of land, ſpecified in the fourth article, whoſe lands have been let in farm or are held Khas, in conſequence of their having refuſed to pay the aſſeſſment required of them under the before-mentioned Regulations for the decennial ſettlement; and the declarations contained in that article are to be conſidered applicable to them.

ARTICLE XI.

The Governor General in Council avails himſelf of this opportunity to notify to the Zemindars, independent Talookdars, and other actual proprietors of land, as well as to all other deſcriptions of perſons, that it is his intention forthwith to eſtabliſh Courts of Juſtice throughout the country upon ſuch principles as will put it out of the power of individuals to injure each other with impunity and prevent the officers of Government from infringing the rights and property of any of the inhabitants of theſe provinces, by enſuring a ſpeedy and impartial adminiſtration of juſtice in all caſes whatever.

FORT WILLIAM, the 22d March 1793, corresponding with the 12th of Cheyte 1199 Bengal Era; the 9th of Shabaun 1207 Higeree; the 26th of Cheyte 1200 Fuſſily; the 26th of Cheyte 1200 Willaity; and the 26th of Cheyte, 1850 Sumbut.

REGULATIONS *for* COINS *and* MINTS.

REGULATIONS *for eſtabliſhing a* GOLD COINAGE, *proposed by the* SELECT COMMITTEE *and approved by the* PRESIDENT *and* COUNCIL *on 2d June* 1766.

1. That the Gold Mohurs ſhall be ſtruck bearing the ſame impreſſion with the preſent Moorſhedabad Sicca, and that this Mohur ſhall alſo be iſſued in the ſubdiviſions of halves, quarters, and eighths.

2. That the new coin ſhall be of the fineneſs of twenty carats, or it ſhall contain one ſixth part of an alloy, which reduces it to Rupees 16-9-4 per cent below the value of pure gold, to 14-7-7 below the mean fineneſs of the Sicca and Dehly Mohurs, and to 8-2-2 one-third beneath the ſtandard of the preſent Arcot gold Mohurs.

3. That the gold Mohur ſhall be increaſed from fifteen Annas, the preſent actual weight, to ſixteen Annas, the better to avoid the inconvenience of fractional numbers in the ſubdiviſional parts and the exchange.

4. That the par of exchange between the gold Mohurs and the ſilver Sicca Rupee ſhall for the preſent be eſtimated at the rate of fourteen to one reckoning upon the intrinſic value of either. Thus, a gold Mohur weighing ſixteen Annas ſhall be deemed equivalent to fourteen Sicca Rupees.

5. That the ſilver Sicca Rupee ſhall be leſs than the ſtandard of 11 oz. 15 dwt. or 13 dwt. better than Engliſh ſtandard.

6. That all payments, whether of a public or a private nature, ſhall be made at the eſtabliſhed Batta, and every attempt to create an artificial Batta, or exchange, ſhall be rigorouſly puniſhed.

7. That a tender of payment, either public or private, ſhall in future be equally valid in gold and ſilver, and that a refuſal of the eſtabliſhed gold currency ſhall incur ſuch puniſhment as this Board may think proper to inflict.

8. That public notice ſhall be given to all Zemindars, Collectors of the revenue, and others, that the collections may be made indiſcriminately in gold and in ſilver, the former to be received at the Mint and Treaſury at the rate propoſed in the 2d article.

PLAN *for the Eſtabliſhment of a* GOLD CURRENCY, *propoſed by the* PRESIDENT *and* COUNCIL *on the 20th March* 1769, *and carried into effect with the conſent of the* NABOB *of* MOORSHEDABAD.

Read a letter from the European merchants and principal inhabitants of Calcutta, alſo a petition from the Armenian merchants, and a letter from the Mayor's Court, ſetting forth the great difficulties and diſtreſſes to which themſelves and the inhabitants in general are reduced from the increaſing ſcarcity of ſpecie, and earneſtly requeſting the aſſiſtance of the Board for a relief from this ruinous evil.

The Board, having duly and maturely weighed this matter, and having conſulted the principal merchants, Banyans, bankers and the miniſters of the Nizamut, do reſolve to recommend to the Nizamut the eſtabliſhing a new gold currency on and according to the following rules and reſtrictions.

The Mohur to be of the ancient Delhy ſtandard, to weigh ſeventeen Annas Sicca weight, and to be iſſued and received in all public and private diſburſements and receipts whatever at ſixteen Sicca Rupees each Mohur. The Mohur to be ſubdivided into halves, quarters, eighths and ſixteenths, ſo that each ſixteenth ſhall bear the value of one Sicca Rupee. That all gold delivered into the Mints for coinage, be coined in the following proportions.

Suppoſing one hundred of Mohurs.

A number not exceeding	25 per 25	In whole numbers.
Halves	18 per 36	
Quarters	18 per 72	
Eighths	18 per 144	
Sixteenths	21 per 336	
Mohurs	100 per 613.	

That, for the prevention of frauds and abuſes, perſons ſhall be appointed to ſuperintend, on the part of the Company (as Duans of the Soubah, and therefore principally concerned in the currency of the coin in theſe provinces, having the collections of their revenues,) the aſſays of all gold in the Mints of Moorſhedabad, Patna and Dacca, in company with

the Government's Aſſay Maſters, and no coinage be iſſued from either Mints but which has been thus jointly aſſayed. That no duties either on behalf of the Government, Company, Governor, or Mint Maſter, be received, nor any charge further than a per centage equivalent to the actual expence of coinage.

That no Mint or Aſſay Maſter ſhall refuſe to receive any gold whatever for coinage or aſſay; and that every Aſſay Maſter ſhall, when applied to by any merchant or other, aſſay any gold brought to him for aſſay, and every quantity ſo brought ſhall have the ſeal of the Aſſay Maſter fixed on ſuch parcel, and a certificate given him under the Aſſay Maſter's hand ſpecifying the aſſay, that the proprietor of ſuch gold may know at all times its real value.

Agreed that the Preſident be requeſted to communicate this ſcheme to the miniſters of the Government, to deſire their ſentiments thereon; and, if it meets their concurrence, that they will enforce the propoſed eſtabliſhment of a gold currency.

The plan was accordingly carried into effect.

EXTRACT *from the* PUBLIC CONSULTATIONS *of the 26th Auguſt* 1771.

This is to give notice to all merchants and others reſiding under the Honorable Company's protection at this ſettlement, that they have ordered Sicca Rupees of the twelfth year of his preſent Majeſty Shah Allum's Reign to be ſtruck in the Honorable Company's Mint and paſs current at ſixteen per cent Batta on the twelith day of September next enſuing; and they likewiſe give public notice, that this coinage of the twelve Sun Siccas ſhall not cauſe the eleven Sun Siccas to fall in their value, but that the eleven Sun Siccas ſhall paſs on the ſame footing as they have heretofore done, that is to ſay at the Batta of ſixteen per cent; and, whenever new Siccas of any future year ſhall be iſſued, the Siccas of the former years as far back as the eleven Sun ſhall not fall in their value or be reduced to the ſtate of Sonauts, but they ſhall be conſidered and paſs in payment at the ſame value as the Siccas of the current year: the ten Suns Siccas are from the 12th day September next to be conſidered and to paſs as Sonaut Rupees, and all other ſorts of Rupees are to paſs and be received as heretofore.

REGULATIONS *paſſed on the 27th May* 1777.

Reſolved and declared, that only one Mint ſhall be allowed for the coinage of money for the uſe of the three Provinces, which ſhall be that of Calcutta.

That only Sicca Rupees of the preſent ſtandard be ſtruck in the Mint.

That no gold coins ſhall be coined after the 31ſt of this month.*

That all Sicca Rupees of the future coinage ſhall paſs for ever without any deduction of Batta by weight, and not by tale in all receipts of the revenue, and in all receipts and iſſues of the Company's Treaſury.

That, for the encouragement of individuals to bring bullion to the Mint, the preſent duty of four and half per cent on coinage be aboliſhed and in lieu thereof the real charges only be exacted; and that the Aſſay Maſter be directed to form tables of rates ſpecifying the amount of thoſe charges on bullion or ſpecie of the different degrees of fineneſs and of the produce in Sicca Rupees.

That for the further encouragement of the proprietors of bullion and ſpecie requiring to be recoined, all ſuch bullion or ſpecie as ſhall be tendered to the Mint ſhall, after having been aſſayed, be received into the Mint on the Company's account, and that the produce eſtimated by the preceding Regulation be immediately paid to the proprietor from the public Treaſury on producing the receipt of the Mint Maſter for the weight of bullion received, and the certificate of the Aſſay Maſter of its value in Sicca Rupees.

ADVERTISEMENT *dated 24th September* 1781.

The Honorable the Governor General and Council having thought proper to eſtabliſh a copper coinage, and copper coins having by their order been ſtruck, of the denomination, value and weight, and with the inſcriptions deſcribed in the annexed table, they hereby authorize them to be circulated throughout the provinces under their Government, at the rate of eighty Sicca Rupees for the Maund of eighty Sicca weight, at which rate they will be iſſued from their treaſuries and other public offices. And as it is their intention to make the circulation of the copper coin general throughout all the diſtricts, they hereby order and direct all Collectors of the revenues, and other perſons entruſted with the receipt of public money, to receive the ſame when tendered, in the proportion of ten Rupees in every thouſand, to be weighed when paid in ſums exceeding half a Maund in weight, and to be iſſued again in like manner, and at the above rate in all public payments. And in order to eſtabliſh it as a neceſſary diviſion of a Sicca Rupee, and a convenient medium between ſilver and Couries in the purchaſe of the common neceſſaries of life, the Governor General and Council direct, that the copper coin be received and paid according to the relative value fixed in the annexed table of copper to Couries, without any diſcount or Batta whatever, which however is not to influence or affect the Bazar price of Couries in any other manner than in the change of the one for the other.

* This reſtriction was ſubſequently aboliſhed, but the date has not been aſcertained.

Table shewing the denomination, value, weight, as also the inscriptions of the copper coin struck by order of the Honorable the Governor General and Council; the circulation of which they hereby authorize throughout the Provinces under their Government.

Denomination	Relative value to a Sicca Rupee.	Relative value to Couries.	Weight.
Madoſie	6 Pice Sicca each, 2 equal to an Anna Sicca and 32 to a Sicca Rupee.	equal to 160 Couries.	20 Annas Sicca weight each, or 2560 in the Maund of 80 Sa. wt.
Faloos	3 Pice Sicca each, 4 equal to an Anna Sicca and 64 to a Sicca Rupee.	equal to 80 Couries.	10 Annas Sicca weight each, or 5120 in the Maund of 80 Sa. wt.
Neem Faloos	1½ Pice Sicca each, 8 equal to an Anna Sicca, and 128 to a Sa. Rupee.	equal to 40 Couries.	5 Annas Sicca wt. each, or 10,240 in the Md. of 80 Sa. wt.
Paw Faloos	¾ Pice Sicca each, 16 equal to an Anna Sicca, and 256 to a Sicca Rupee.	equal to 20 Couries.	2½ Annas Sa. wt each, or 20,480 in the Md. of 80 Sa wt.

ADVERTISEMENT *dated 3d December* 1788.

Notice is hereby given, that from and after the 15th of the preſent month, the coinage of gold Mohurs will be ſuſpended, and no more gold bullion will be received at the Mint.

Gold Mohurs, that have been coined in the Calcutta Mint, will be, upon application at the Mint, recoined into ſmall gold money, for the convenience of individuals without any expence to them, and weight will be delivered for weight.

REGULATION *passed on the 20th February* 1790, *and notified by* ADVERTISEMENT.

Notice is hereby given to the public, that the collection of the duty of one per cent on the coinage of ſilver will be diſcontinued from this day, and that new coin will be returned for old coin, or bullion of the ſtandard fineneſs, weight for weight.

ADVERTISEMENT *dated 21ſt July* 1790.

The Governor General in Council has directed notice to be given, that his Lordſhip has been pleaſed to revoke the order, that was paſſed on the 3d of December 1788, for ſuſpending the coinage of gold Mohurs, at the Mint; and that from and after the 1ſt of next month, Auguſt, gold bullion will be received there for that purpoſe, and coined without charge to individuals.

It is further hereby notified, that, from and after the 1ſt of next month, new milled gold money will be iſſued, of the former weight and ſtandard, and the gold now extant of the Calcutta coinage will be recoined, on application at the Mint, into gold Mohurs of the new coinage, alſo into ſmall money, that is, into halves and quarters, for the convenience of individuals without any expence to them, and weight will be delivered for weight.

The new gold coin will be received by the Collectors of the revenue and other officers of Government in payment of the demands of the Company.

ADVERTISEMENT *dated 1ſt September* 1790.

Notice is hereby given, that the new milled ſilver coin will be iſſued from the Honorable Company's Mint, from and after the 10th inſtant, in payment of the produce of all ſilver bullion ſent to be coined.

The Shroffs, money changers &c. are poſitively forbidden to deface, cut or clip the edges of the new coin or to put any Batta on the old nineteen Sun Siccas, under pain in either caſe of incurring ſuch puniſhment as the Governor General in Council may think proper to inflict.

ADVERTISEMENT *dated 18th November* 1791.

Whereas various applications have of late been made to the Superintendent of the Police, by individuals, (in conſequence of the difficulty which they experience in procuring ſilver coin) to compel the Shroffs to furniſh ſilver in exchange for gold coin, and to puniſh them, if they attempt, in this exchange, to value the gold Mohur at leſs than what appears to have been its former market price;—viz. one Arcot and fifteen Sicca Rupees; and whereas coercive meaſures, inſtead of alleviating, have a neceſſary tendency to increaſe, the difficulty complained of; the Governor General in Council has therefore determined, that, in future, the ſale of gold and ſilver coin ſhall be as free and unreſtrained in every reſpect as the ſale of gold and ſilver bullion, and that the gold coin which ſhall

be offered for ſale in exchange for ſilver, or the ſilver which ſhall be offered for ſale in exchange for gold, ſhall be conſidered in effect as bullion, and the exchangeable value or price of each determined by the courſe of trade in the ſame manner as the price of every other commodity that comes into the market.

Public notice therefore is hereby given, that no applications of the kind above deſcribed will be complied with by the Superintendent of the Police.

ADVERTISEMENT *dated 20th June 1792.*

Notice is hereby given, that all bullion delivered into the Mints will be aſſayed in the order in which it is received, refined in the order in which it is aſſayed, and coined in the order in which it is refined, that ſtandard bullion delivered into the Mints will be regiſtered as refined bullion on the date on which it is aſſayed.

That the following regiſters will be kept open at the Mints for public inſpection.

1ſt. Regiſter of unaſſayed bullion delivered into the Mint, ſpecifying the quantity delivered, the date on which it was received, and name of the proprietor.

2d. Regiſter of bullion aſſayed and refined, ſpecifying the date on which it was aſſayed, and that on which it was refined, the name of the proprietor, and the produce of Sicca Rupees, together with the certificate granted by the Mint Maſter for the produce, and the date on which ſuch certificate was diſcharged.

FORT WILLIAM,

PUBLIC DEPARTMENT, OCTOBER 24, 1792.

The following REGULATIONS *for the conduct of the ſeveral* MINTS *having been adopted by the* GOVERNOR GENERAL *in* COUNCIL, *they are now made public, together with the ſubjoined Table of rates of Batta, for general information.*

Firſt. That after the 30th Chyte 1200 Bengal ſtyle, correſponding with the 10th April 1794, only the nineteen Sun Sicca Rupees be received at the public Treaſuries or iſſued therefrom, on any account whatſoever.

Second That public notice be given, that Government, with a view to enable individuals to get their old coin or bullion converted into Sicca Rupees without delay, have eſtabliſhed Mints at Patna, Moorſhedabad and Dacca, in addition to the Mint at Calcutta.

Third. That for all bullion or old coin of Sicca ſtandard delivered into the Mint, an equal weight of Sicca Rupees be returned to the proprietor without any charge whatſoever.

Fourth That all bullion, or old coin under Sicca ſtandard delivered into the Mints, be refined to the Sicca ſtandard, and that a number of Sicca Rupees equal to the weight of the bullion ſo refined be returned after deducting twelve Annas per cent for the charge of refining.

Fifth. That the Rupees coined at Dacca, Patna and Moorſhedabad, be made preciſely of the ſame ſhape, weight and ſtandard, and that they bear the ſame impreſſion as the nineteen Sun Sicca Rupee coined at Calcutta, in order that the Rupee ſtruck at the ſeveral Mints may not be diſtinguiſhable from each other, and that they may be received and paid indiſcriminately in all public and private tranſactions.

Sixth. That to guard as far as poſſible againſt the counterfeiting, clipping, drilling, filing, or defacing the coin, the dies with which the Rupees are to be ſtruck be made in future of the ſame ſize as the coin, ſo that the whole of the inſcription may appear upon the ſurface of it, and that the edges of the coin be milled.

Seventh. That perſons detected in counterfeiting, clipping, filing, drilling or defacing the coin, be committed to the Criminal Courts, and puniſhed as the law directs.

Eighth. That all the officers, Gomaſtahs, and others employed in the collection of the revenues, the proviſion of the inveſtment, and manufacture of ſalt, and all Shroffs, Podars, Zemindars, Taloukdars, farmers, and all perſons whoſoever, be prohibited affixing any mark whatſoever to the coin; and that all Rupees ſo marked be declared not to be legal tenders of payment in any public or private tranſaction; and that the officers of Government be directed to reject any Rupees of this deſcription that may be tendered at the public Treaſuries.

Ninth. That as there may not be a ſufficient number of Sicca Rupees in circulation in ſome diſtricts (notwithſtanding the great number of this ſpecies of Rupees that has been lately coined in the Mints at Dacca and Calcutta) to enable the landholders to pay their revenues to Government in Sicca Rupees, as ſtipulated in their engagements for the decennial ſettlement, that the various ſpecies of Rupees current in the ſeveral diſtricts be received at the public Treaſuries from the landholders and farmers in payment of their revenue until the 30th Chyte 1200 Bengal ſtyle, or 10th April 1794, at fixed rates of Batta, to be calculated according to the difference of intrinſic value, which the various ſpecies of coins in circulation bear to the Sicca Rupees as aſcertained by aſſay in the Calcutta Mint.

Tenth. That all Rupees, excepting Siccas, which may be received at the public Treaſuries agreeably to the 9th article, be not on any account iſſued therefrom, but that they be ſent to the Mints and coined into Siccas of the nineteen Sun.

Eleventh. That after the 30th Chyte 1200 Bengal ſtyle, correſponding with the 10th April 1794, no perſon be permitted to recover in the Dewanree or Maul Adauluts, eſtabliſhed in the Provinces of Bengal, Behar and Oriſſa, any ſum of money under a bond, or other writing, or any agreement written or verbal, entered into after the abovementioned date, by which any ſpecies of Rupees excepting the Sicca Rupee of the nineteen Sun is ſtipulated to be paid.

Twelfth. That perſons, who ſhall have entered into bonds or writings or other agreements, written or verbal, prior to the 30th Chyte 1200 Bengal ſtyle, correſponding with the 10th April 1794, whereby a ſum of money is to be paid in any other ſpecies of Rupee excepting the nineteen Sun Sicca, and who ſhall not have diſcharged the ſame before that date, be at liberty to liquidate ſuch engagement either in the Rupee ſpecified therein or in the nineteen Sun Sicca Rupee at the Batta which may be ſpecified in the table mentioned in the 9th article.

Thirteenth. That all engagements hereafter entered into on the part of Government, for the proviſion of the inveſtment or manufacture of ſalt or opium, be made in the Sicca Rupee, and that all landholders and farmers of land be expreſsly prohibited from concluding engagements with their under renters, Ryots, or dependant Talookdars, after the 30th Chyte 1200 Bengal ſtyle, correſponding with the 10th April 1794, excepting for Sicca Rupees, under the penalty of not being permitted to recover any arrears that may become due to them under ſuch engagements, as preſcribed in the 11th article.

A table ſhewing the intrinsic value of the following ſpecies of Rupees current in Bengal, Behar, and Oriſsa, compared with the Sicca Rupee from aſſays made in Calcutta, viz.

SPECIES OF RUPEE.	*Intrinsic value compared with the Sa. Rupee.*
Siccas of Moorſhedabad, Patna and Dacca, per Sa Wgt.	100—100 0 0
Pholey Sonats,	do.—100 0 0
Dilhi Mahomet ſhai,	do.— 99 8 0
Money Surat Large,	do.— 99 8 0
Benares Sicca,	do — 99 8 0
Biſſun Arcot,	do.— 97 14 6
Sora: Sabic and Duckie,	do — 97 8 0
Forſhee Arcots,	do — 97 6 6
French Arcots,	do — 97 0 0
Patanea Arcots,	do.— 96 9 6

Arunzebee Arcots,	do —	96	9	6
Gurfaul,	do —	96	9	6
Madras Arcots new,	do —	96	4	9
Mufulipatam and Shardar Arcots,	do —	96	0	0
Patna Sonats old,	do —	96	0	0
Benares Rupees old,	do —	95	14	6
Madras Arcots old,	do —	95	14	6
Furrockabad Rupees,	do —	95	12	9
Jehanjee Arcots,	do —	95	11	3
Chaunta Arcots,	do —	95	11	3
Calcutta and Moorſhedabad Arcots,	do —	95	6	6
Old Arcots,	do —	95	3	3
Dutch Arcots,	do —	95	0	0
Surat Arcots,	do —	94	0	0
Benares Triſolie,	do —	92	6	6
Vizierey Rupees,	do —	63	0	0
Narrany half Rupee new,	do —	63	0	0

RESOLUTIONS *paſſed by the* GOVERNOR GENERAL *in* COUNCIL, *on the 21ſt November*, 1792.

The Governor General in Council has been pleaſed to direct, that the following reſolutions, which have been paſſed relative to the coinage, may be made public; and they are hereby publiſhed accordingly.

1ſt. That gold Mohurs of full weight, (viz. ſeventeen Annas Sicca weight) coined in the Calcutta Mint ſince the 20th March 1769, correſponding with the year of the Hegeree 1182, ſhall be declared a legal tender of payment in all public and private tranſactions throughout the country, at the rate of ſixteen Sicca Rupees, and that the officers at all the public Treaſuries be inſtructed accordingly.

2d. In conſideration of the expence incurred in refining and coining gold, the following per centage will be levied after this date on gold bullion ſent for coinage.

Bullion of gold Mohur ſtandard, two and half per cent

Ditto from three-fourths to five per cent worſe than ſtandard, 2-12 ditto.

Ditto from five to ten per cent ditto, 3-4 ditto.

Ditto from ten to twenty per cent ditto, 3-12 ditto.

3d. No per centage will be charged on the recoinage of old or light gold Mohurs coined in the Calcutta Mint ſince the 20th March 1769, correſponding with the Hegeree year 1182.

REGULATIONS FOR THE MONOPOLY OF SALT.

REGULATIONS *for carrying on the* INLAND TRADE *in* SALT, BETLE NUT *and* TOBACCO, *paſſed on* 10*th Auguſt*, 1765.

1*ſt*. That the whole trade ſhall be carried on by an excluſive company, formed for that purpoſe, and conſiſting of all thoſe who may be deemed juſtly entitled to ſhare. That a proper fund ſhall be raiſed, by a loan at intereſt, for the ſupply and ſupport of the ſame; and that it ſhall commence in the month of September enſuing, or as ſoon after as may be found moſt convenient.

2*d'y*. That all ſalt, Betle-nut and tobacco, produced in, or imported into, Bengal, ſhall be purchaſed by this eſtabliſhed company, and public advertiſement ſhall be iſſued, ſtrictly prohibiting all other perſons whatever, who are dependant on our Government, to deal in thoſe articles.

3*dly*. That application ſhall be made to the Nabob to iſſue the like prohibition to all his officers and ſubjects of the diſtricts where any quantity of either of thoſe articles is manufactured or produced.

4*thly*. That the ſalt ſhall be purchaſed by contract, on the moſt reaſonable terms, giving the preference to the factories of Dacca, Chittagong, Burdwan and Midnapoor, for the produce of their reſpective diſtricts, to the Foujedar of Houghley, and the other Zemindars, for the produce of Ingellee, Tumlook, Myſidole, &c. and to ſuch perſons as may offer the moſt reaſonable propoſals, for the quantity produced in the Calcutta lands.

5*thly* That the Betle-nut and tobacco ſhall in like manner be purchaſed by contract, under ſuch terms and conditions as, upon proper inquiry, ſhall appear to the managers to be moſt conformable to the intereſt concerned.

6*thly*. That the contractors for the ſalt ſhall agree to deliver it at certain fixed places at a ſtipulated rate per 100 Maunds, comprehending ſuch an advance upon their contracts with the Zemindars and Molungees as may be eſteemed an equivalent to their riſk, trouble and bad debts.

7*thly*. That as the advances will be made by the contractors to the Zemindars, &c. at certain periods of the ſeaſon, in the uſual manner, ſo ſhall the advances from the public company to the contractors be made in proportion thereto.

8*th'y*. That the ſalt, Betle-nut and tobacco, thus purchaſed by the public company, ſhall be tranſported to a certain number of places for ſale, to be there, and there only, diſpoſed of by their agents; and that the country merchants may then become the purchaſers,

and again transport the articles whither they think they have the the greateſt proſpect of profit; that by this means not only the frequent oppreſſions the inhabitants of the country have ſuffered, by Europeans having permiſſion to traverſe to every place for the ſale of thoſe commodities, will be put a ſtop to, but, by thus reſerving to the natives and merchants a competent ſhare of the profits, both in the purchaſe and ſale, we may hope for the good effect of removing the general odium that has prevailed, from our ſeeking to deprive them of every part of that trade.

9*thly*. That as it is apprehended ſome difficulty will ariſe in ſecuring the produce of the Dacca and Chittagong diſtricts, by reaſon of the property of the lands being ſcattered in a number of hands, all dependant on the Government, it is agreed, that application ſhall be made to the Nabob, for Perwannahs on the ſeveral Zemindars of thoſe diſtricts, as well as thoſe of Houghley, &c. ſtrictly ordering and requiring them to contract for all the ſalt that can be made on their lands with the Engliſh alone, and forbidding the ſale to any other perſon or perſons whatſoever.

10*thly*. That the Honorable Company ſhall either ſhare in this trade as proprietors, or receive an annual duty upon it, as may appear to be moſt for their intereſt, when conſidered with their other engagements and demands at this Preſidency.

11*thly*. That the Nabob ſhall in like manner be conſidered, as may be judged moſt proper, either as a proprietor, or by annual Nuzzerannah, to be computed upon inſpecting a ſtatement of his duties on ſalt in former years.

12*thly*. That the manner in which the Honourable Company and the Nabob ſhall be conſidered, being once determined, the remainder of this trade ſhall be divided amongſt the Company's ſervants, arranged under certain claſſes, and each claſs to ſhare a certain proportion of the capital ſtock.

13*thly*. That a Committee of Trade ſhall be appointed to receive the management of this plan, and proſecute the ſame in all its branches: that they ſhall be immediately authoriſed to take meaſures for raiſing the fund at intereſt, and to receive propoſals, and ſettle the contracts: and further, that for their aſſiſtance in this work, a perſon ſhall be appointed in the quality of their Secretary and Accomptant.

Extract *of* Consultations, 18*th September*, 1765.

Reſuming the conſideration of the plan for carrying on the inland trade, it is agreed, that the inland trade in the above articles ſhall be ſubject to a duty to the Company after the following rates, which are calculated according to the beſt judgment we can form, the

value of the trade in general, and the advantage which may be expected to accrue from it to the proprietors:

On ſalt, thirty five per cent, valuing the 100 Maunds at the rate of ninety Rupees, and in conſideration hereof the preſent Collaree duty to be aboliſhed.

On Betle-nut, ten per cent, on the prime coſt.

On Tobacco, twenty five per cent, on ditto.

REGULATIONS *paſſed on the 3d September*, 1766.

Firſt. That all ſalt, provided by the Society of Trade, ſhall be ſold at Calcutta, and at other places where it is made, and no where elſe.

Secondly. That the price of ſalt ſhall not exceed two Rupees per Maund, or 200 Rupees per 100 Maunds.

Thirdly. That the ſalt ſhall be ſold to the natives only, who are to tranſport it to every part of Bengal, Behar and Oriſſa, and to have the whole profits ariſing from the ſale thereof; and that no Company's ſervant, free merchant or European, ſhall be concerned in that article, directly or indirectly, after the ſale of it at the above places.

Fourthly. That the Calcutta black merchants ſhall be limited to a certain proportion of purchaſe; but that no Banians, or ſervant whatever belonging to any European, ſhall be included, or have any concern therein.

Fifthly. That every endeavour be made uſe of to encourage the ſubſtantial merchants of the country either to come down in perſon to the place where the ſalt is provided, or to ſend their agents, in order to purchaſe and tranſport the ſalt to the different places of ſale.

Sixthly. That a certain price be fixed for the ſale of every Maund of ſalt at every town, market or village, where it is ſold, according to the diſtance and former cuſtom.

Seventhly. That if ſalt be ſold at any of the Bazars or markets for one Coury above the ſtipulated price, the vender ſhall not only forfeit all the ſalt there found in his poſſeſſion, but be liable to a forfeit of 1,000 Rupees for every 100 Maunds of ſalt ſo ſold; and the ſalt and money ſo forfeited ſhall go, one half to the informer, and one half to the Government.

Eighthly. That the miniſters at Moorſhedabad and Patna have copies ſent them of the new Regulations; and that they be deſired to apply to the Nabob to make the

ſame known throughout the three Provinces; and that every Foujedar &c. ſee they be put in execution, upon pain of being diſmiſſed from his employment.

Ninthly. This buſineſs being entirely commercial, it is propoſed, that in the inſtrument of agreement for the next year, it ſhall be provided, that the Society of Trade be anſwerable to the Board for their conduct; that the Board may either make new Regulations or amend thoſe made by the Society of Trade, as they ſee fit; and that in caſe of neceſſity, the ſelect Committee ſhall have power to controul the conduct of the whole.

Tenthly. That a duty of fifty per cent be paid to the Company upon all the ſalt provided in their own lands, and fifty per cent to the Government, upon all the ſalt provided upon the lands of the Government, and fifteen per cent, upon Betle; which duties will, in fact, be brought to the Company's credit, which according to the preſent ſtate of the ſalt trade, will produce the Company from twelve to thirteen Lacks of Rupees per annum.

EXTRACT *of* CONSULTATIONS, *16th January* 1767.

The Honorable Court of Directors having, in their letter to the ſelect Committee, abſolutely prohibited the inland trade in Salt, Betle-nut, and Tobacco, in any ſhape, and upon any plan whatſoever.

Reſolved, that the Society of Trade ſhall be aboliſhed, and the inland trade totally relinquiſhed, on the 1ſt day of September next; but that we fully expreſs our ſentiments in our next advices to the Company, reſpecting the advantages which would reſult to the ſervice, and to the country, from the continuance of this trade under the preſent reſtrictions.

EXTRACT *of* CONSULTATIONS, *27th July* 1767.

The Committee of Trade ſend in a letter, requeſting, as the Society's excluſive right to the inland trade in the articles of ſalt, and Betle-nut, will expire on the 3d of September, the Board will, agreeable to the deed granted to the Committee, on the behalf of the proprietors, allow ſufficient time for the diſpoſal of what quantity of thoſe articles may then remain on hand, which they imagine will be very conſiderable, as the Contractors with the Society did not begin to deliver till this month.

Agreed, the Committee be acquainted in anſwer, that, in conſequence of their repreſentation, and the proviſion made in the deed, they will be allowed one year for the diſpoſal of their concerns.

EXTRACT *of* CONSULTATIONS, *1ſt September* 1768.

In conſequence of the tender regard and attention which the Honorable Company have ſhown to the welfare and eaſe of the native inhabitants, in prohibiting their ſervants, and other Europeans under their protection, from trading in ſalt, Betle-nut or tobacco, or any other article, the produce of this country, but what is meant for exportation, it being their expreſs intention, that the inland trade of the country ſhall be confined to the natives only; it was agreed and reſolved, that, from this day, the excluſive privilege of the Society of Salt Trade ſhall be at end, and that any European, who ſhall be found acting, either directly or indirectly, contrary to the ſpirit of theſe the Company's orders, ſhall not only ſuffer confiſcation of his goods, but, if a Company's ſervant, ſhall be diſmiſſed the ſervice, and if not in the ſervice, ſhall forfeit the Company's protection.

Ordered, that an advertiſement be publiſhed to this effect, and that copies of it be tranſmitted to the ſubordinates.

REGULATIONS *for carrying on the* SALT TRADE, *paſſed on the 7th October* 1768.

1ſt. That every Zemindar, or landholder, whoſe Churs or Collaries are granted to him by Sunnud; and alſo, all farmers on leaſe, ſhall continue to enjoy the benefit of working them, but they ſhall be reſtricted by bond and penalty, not to diſpoſe of a larger quantity than Maunds 50,000 to any one purchaſer; they are to keep an account of every ſale, which muſt be weekly tranſmitted to the Suddahr or head Cutcherries of Burdwan, Midnapoor and Chittagong, there to be recorded, and reference made on any ſcrutiny which may be deemed neceſſary in regard to perſons, quantity, or price, which may accrue to prevent monopolies:

2d. That an entire freedom be granted to all other merchants, natives of the country, of the caſts of Moors or Gentoos, for renting and working all other Collaries whatever, provided no one perſon directly or indirectly makes a larger quantity than Maunds 50,000. In order to encourage the Molungees to their duty, to diffuſe among the merchants this liberty, and to prevent confuſion or diſputes one with another, every merchant muſt engage himſelf in his ſervice the Molungees, whom he muſt bring to the neareſt public Cutcherry to be examined whether they are free from all other engagements, and it is voluntarily that they themſelves enter into his ſervice, when their names and reſidence muſt be regiſtered, with the name and reſidence of the merchant to whom they engage; which engagement is to laſt, for one year only, and the Zemindar of each diſtrict is

directed to lend every aſſiſtance to ſecure to ſuch merchants the attentive ſervice of ſuch Molungees, and again to ſee that the merchant ſtrictly conforms to his engagements with the Molungees; and in caſe any one merchant ſhould ſeduce or attempt to ſeduce any Molungee from another merchant, he ſhall be fined as the caſe may merit. The Molungees, thus engaged for one year, ſhall not be liable, after the expiration of that time, to be called upon for further ſervices by the merchant, unleſs voluntarily, and for no balances whatever, after the expiration of the approaching ſeaſon. But in conſideration of the very heavy balances due from the Molungees to the merchants, on account of the laſt year's advances, they are to have the preference of the Molungee's ſervices for this ſeaſon. The above regiſter of merchants and Molungees to be ſent weekly to the ſeveral head Cutcherries, in order that public licenſe may be granted to the merchant for entertaining the Molungees regiſtered. The officer of each diſtrict is alſo to keep an account of all ſalt made therein, and by whom; and to ſend the ſame to the head Cutcherry, there to be recorded weekly; and it is ſtrictly recommended to prevent as much as poſſible any one family or ſet of merchants combining together, or in any ſhape eſtabliſhing a monopoly.

3*dly*. No ſalt to be removed from any Chur without a Rowannah from the Reſident or Collector-General, ſpecifying the proprietor's name of ſuch ſalt, the quantity and number of boats in which it is tranſported by water; if by land, then the number of bullocks, and by whatever means elſe it is tranſported.

That weekly returns of the Rowannahs granted by the Collector-General, ſhall be tranſmitted to, and entered by, him, in a general regiſter; and that Peons ſhall be ſent with the Rowannahs as at preſent with the Duſtucks, and a regiſter kept of the arrival of ſalt at the different markets in the Company's lands, to be tranſmitted weekly to the Collector, to be entered in his regiſter.

If any boats are found ſmuggling ſalt, the ſame to be confiſcated to the Government, boat and ſalt; and any boat having ſalt on board, hoiſting Engliſh colours, pretending to an Engliſh Duſtuck, or having more ſalt on board than ſpecified in the Rowannah, ſhall be liable to confiſcation, together with the cargo; and the Nabob's miniſters will ſeize the ſame as forfeited to the Government.

That all ſalt produced at Ingellee, Myſadaul, &c. diſtricts, and the Company's lands, ſhall be carried to and landed at Ballee creek, and that all ſalt produced to the eaſtward ſhall be brought to Rajahbarry.

That the ſum of thirty Sicca Rupees per 100 Maunds ſhall be the duty to be collected from the importer on all ſalt brought to Ballee creek or Rajahbarry.

That the price of ſalt ſhall be fixed at 140 Sicca Rupees per 100 Maunds.

That no increaſe of duty ſhall be made on what is now collected on foreign ſalt:

As theſe Regulations are formed with the ſtricteſt regard to the eaſe and conveniences of the natives, and ſuch as we judge will enable them to carry on this important trade, on the eaſieſt terms, and the leaſt liable to oppreſſion; agreed, that we tranſmit a copy of thoſe for the laſt, as well as the enſuing ſeaſon, to the Reſident at the Durbar, and deſire him to recommend to the Miniſters to adopt and follow the ſame.

Agreed alſo, that the Regulations for the enſuing year be tranſmitted to Patna, Dacca and Coſſimbazar. And,

Ordered that the Collector General be furniſhed with a copy of the conſultation, in order that he may iſſue the ſame in the diſtricts under his inſpection.

SCHEME *for the* SETTLEMENT *and* DISTRIBUTION *of the* SALT MEHALS, *agreed to by the* COMMITTEE *of* REVENUE *on 7th October* 1772.

1ſt. That at the Salt Mehals in every part of the Province ſhall be on the ſame footing.

2d. That all the ſalt be made by the Company.

3d. That the Colarrees of each diſtrict or Mehal ſhall be let to farm for the term of five years, on the following conditions, viz.

Conditions of the farms of the Salt Mehals.

1ſt. That the farmer ſhall engage to deliver to the Sircar a certain ſtipulated quantity of ſalt yearly, at a certain ſtipulated price.

2d. That the farmer ſhall be allowed an advance of three-fourths of the quantity which he engages to deliver in the year, and the remainder on delivery.

3d. That in caſe of a failure in the delivery of the quantity ſtipulated, the farmer ſhall pay fifty Rupees per 100 Maunds for the deficiency, as a penalty.

4th. That all the ſalt, which the farmer ſhall make, exceeding the quantity ſtipulated in his contract, ſhall likewiſe be delivered to the Company at an advance of twenty-five Rupees on the contract price.

5th. That the farmer ſhall not be permitted to ſell any Salt, but as above provided to the Company.

Conditions of the Company's Contract with the Salt Merchants.

1*st*. That the Company ſhall agree to deliver all the ſalt of each Mehal or farm, as it ſhall be delivered by the farmer, at a certain ſtipulated price.

2*d*. That the merchants ſhall advance three-fourths of the amount of the quantity agreed to by the farmers, and to pay for the reſt at the time of delivery.

3*d*. That the merchant ſhall not be entitled to receive more than the farmer ſhall deliver in the courſe of the year; and that whatever quantity the farmer ſhall deliver over and above his agreement, ſhall be alſo the merchant's, the latter paying no more for it than for the reſt.

4*th*. That the ſalt, when made, ſhall be delivered and diſpoſed of to ſuch merchants as ſhall be willing to accept it by contract, for one year only, on the following terms; viz.

5*th*. That the ſalt ſhall be delivered by the farmer to the merchants; the receipt of the merchant to be the farmer's diſcharge, and to aſcertain the quantity and amount for which the merchant is to be debited by the Company.

6*th*. That the amount of the duties ſhall be put upon the price of the ſalt, and paid with it; and that the merchant ſhall be furniſhed with Rowannahs for tranſporting his ſalt free of duties to any part of the two Provinces; and that all ſalt, attempted to be paſſed without a Rowannah, ſhall be ſeized and confiſcated to the uſe of the Company.

Extract *of* Resolutions *recorded on* Consultations *16th July* 1777.

That the Provincial Councils be directed to let the Salt Mehals in like manner, on the moſt advantageous terms, with the exception mentioned in the following article, for a ready money rent including duties: the ſalt to be left to the diſpoſal of the farmers; that no advances ſhall be made to them by Government; and that they ſhall not make any claims of balances after the expiration of their leaſes.

That a preference be given to ſuch Zemindars or farmers as are willing to take the Salt Mehals lying within the limits of their reſpective farms; even though the terms offered by them ſhould be conſiderably lower than thoſe of others.

Plan *for the* Provision *of* Salt *by* Agency, *approved 19th September* 1780.

1*ſt*. That all the ſalt of the Provinces be manufactured for the immediate account of the Honorable Company, and ſold, for ready money, at moderate fixt rates, to be aſ-

certained and publiſhed at the beginning of every ſeaſon, by the Governor General and Council.

2d. That a Comptroller be appointed with an eſtabliſhment to collect the accounts from the Agents, and prepare general accounts for the information of the Board, and exerciſe an official authority over the Agents in all points of their duty.

3d. That an Agent be appointed to each of the undermentioned diviſions, with a ſalary and allowance, as per eſtabliſhment, to receive and make the advances, to ſuperintend the manufacture, to receive the ſalt from the Molunghees, to ſell it agreeably to the rates annually eſtabliſhed by the Governor General in Council, to collect the duties in addition to the price, to ſeize and confiſcate all contraband ſalt, and to have the general charge and management of the proviſion and ſale of the ſalt, each in his reſpective diviſion, under the controul above ſpecified.

Firſt diviſion Hedjelee, including Jelamoota, Daroodumna, Soojamoota, Beercool, Sabung, Mohaur, Catchreachour, Lamfray, Balſay, Meergodah, and Mornachoura.

Second diviſion Tumlook, including Myſadel, and Mundulgaut.

Third diviſion Twenty-four Pergunnas, including Twenty-four Pergunnas, Bygotty, Myhatty, Ballia, Babindah, Taulah, Bhulkah, and Pardooleapoor.

Fourth diviſion Roymungul, including Roymungul, Sheebpoor, Selimabad, and Gorgnore.

Fifth diviſion Bulwa, including Bulwa, Duckenſavagepoor, Sundeep, Hateah, and Bomſny.

Sixth diviſion Chittagong, including all the Salt Mehals within that Collectorſhip.

4th. That Rowannahs be granted by the Comptroller, who will furniſh them to the Agents under his ſignature and official ſeal, to be counterſigned by them, and noted by each Agent through whoſe diviſion they may paſs, to prevent them from being uſed again. A regiſter and an account of the collections of duties will be kept for the Collector of Government Cuſtoms.

5th. That as the advantage to be derived to the Company from this plan will chiefly depend on the quantity of ſalt manufactured, and the œconomy obſerved in the management of the buſineſs, it will be adviſable to afford the Comptroller and Agents ſome particular inducement to give their utmoſt attention to both theſe objects; that for this purpoſe they be allowed to draw, beſides their fixed ſalaries, a commiſſion of ten per cent on the difference between the ſum of all the antecedent expences, of whatever kind, and

the produce of the ſales, the duty included, of all the Salt brought to the account of the Company in each diviſion, whether by manufacture or confiſcation; to be diſtributed in the proportions of one-fourth to the Comptroller, and three-fourths to the Agent of each diviſion reſpectively.

6th. That the Agents at the time of their appointment ſhall take a ſolemn oath, that they will render true and faithful accounts of the expenditure of the ſums which ſhall be advanced to them for their buſineſs, and of the produce, whenever required by the Board; and that they will not, at any time, either during their agencies or afterwards, have any concern in the ſalt, nor derive any profit from their agencies, beſides their commiſſions and the ſalaries which ſhall be allowed them by the Board, nor knowingly ſuffer any of their dependants to derive any profits but ſuch as are allowed; and that a ſimilar oath be adminiſtered to the Comptroller.

SALT REGULATIONS, *publiſhed on the* 12*th October* 1780; *and entered in* CONSULTATIONS *of* 24*th October.*

Whereas the Honorable the Governor General and Council have reſolved, that all the ſalt of the provinces ſhall be manufactured for the account of the Honorable Company and have appointed a Comptroller and the following Agents, viz. One Agent in Hidgellee, including Jellamoot-h, Doroodumna, Soonjomoota, Midnapoor and Jellaſore. One Agent in Tumlook, including Tumlook, Myſadel and Mundulgaut. One Agent in the Twenty-four Pergunnas, including the Twenty-four Pergunnas, Pygotty, Myhetty, Belea, Balinda, Tanla, Bhalka and Par Duliapoor. One Agent in Roymungul, including Roymungul, Sheebpoor, Selimabad and Gorenore. One Agent in Bulwa, including Bulwa, Duckinſavagepoor, Sundeep, Hatiah and Bomeny. One Agent in Chittagong, including all the Salt Mehals within that diſtrict. And have directed that the ſaid Agents ſhall have the general charge and management of the proviſion and ſale of the ſalt under the Comptroller above ſpecified; and alſo that the duties ſhall be collected in addition to the price, and that all future Rowannahs and Duſtucks for ſalt ſhall be iſſued and exchanged by the Comptroller inſtead of the Collector of Government Cuſtoms.

Notice is hereby given, That all Molunghees, Tofaulies, Moindars and ſalt manufacturers of every denomination are reſpectively to attend the Agent of the diviſion and receive advances from him (or ſuch perſons as may be authorized by him) only excepting thoſe diſtricts where the ſalt may be provided by contract or farm.

That all Zemindars, Talookdars, farmers, Naibs and officers of the revenues of whatever denomination are to give their beſt aſſiſtance to each Agent reſpectively in entertain-

ing and engaging to work all perſons who have heretofore been employed in manufacturing ſalt, or ſupplying materials to the manufacturers.

That all ſalt, which ſhall hereafter be manufactured except for the account of the Honorable Company, ſhall be confiſcated.

That the Zemindars, Talookdars and farmers, who have manufactured ſalt in former years, ſhall hereafter be furniſhed with Duſtucks from the Comptroller in the ſame manner as formerly from the Collector of Government Cuſtoms, by application through the channel of the Provincial Councils and Collectors of Revenue.

That all purchaſers of ſalt from the Board of Trade, who have not taken out Rowannahs for ſuch ſalt, ſhall be furniſhed with them by the Comptroller on their producing proper certificates of the payment of the price and duties.

That all Rowanas or Duſtucks on account of the ſalt, which require to be received or exchanged, ſhall be received or exchanged by the Comptroller. And that all Rowanas or Duſtucks, granted by the Collector of Government Cuſtoms to the 1ſt of November 1780, and by the Comptroller after that date, ſhall authorize the quantity of ſalt ſpecified in ſuch Rowanas or Duſtucks to paſs to any part of the provinces.

ADVERTISEMENT, *dated 9th July* 1787.

Whereas the Honorable the Court of Directors have directed that Mr. HUGH BAILLIE be appointed to reſide at or in the vicinity of Gualparah, to ſuperintend and protect the merchants of every deſcription, engaged in lawful commerce between theſe Provinces and the Kingdom of Aſſam, with the exception only of the article of ſalt, the vent of which into that country, Mr. BAILLIE is to retain ſolely in his own hands, on the part of Government, notice is therefore hereby given to all perſons whom it may concern, that from and after the 1ſt of March 1788 no trade or vend of ſalt, into Aſſam, will be allowed to any individual.

ADVERTISEMENT, *dated 27th July* 1787.

In order that the reſtraint upon individuals with reſpect to the trade or vend of ſalt with Aſſam, as ſet forth in the advertiſement of the 9th inſtant, may be completely enforced; Notice is further given, that no merchant nor individual whatever will be allowed to carry ſalt higher than the border of Rangamatty after 1ſt March 1788.

REGULATIONS *recorded on 10th December* 1788.

The Right Honorable the Governor General in Council having judged it expedient to direct that a new ſet of Regulations be adopted in the manufacture of ſalt in order to relieve the laborers from oppreſſions, which, it has been repreſented to him, have been exerciſed by Overſeers, Gomaſtahs and Contractors, the following Regulations are now preſcribed for the conduct of the Agents in the office committed to their charge; and they are required moſt ſtrictly to adhere to them.

1*ſt*. That it be a fixed principle in the conduct of the buſineſs in the manufacture of ſalt, that in future no compulſion on any plea whatever ſhall be uſed to make manufacturers work except in conſequence of a previous engagement; but that their ſervices ſhall be entirely voluntary; and that all ſuch, as have hitherto been employed and do not chuſe to engage again in the manufacture of ſalt, ſhall be allowed to follow ſuch other occupations as they pleaſe without hindrance or moleſtation; and that if any Salt Agent compels any Molunghee, Byopary or other to engage for the proviſion of ſalt againſt his inclination, he ſhall upon conviction be diſmiſſed from his employment.

2*d*. That the Agent, on proof of any attempt being made by Gomaſtahs, Molunghees, Byoparies or officers under his authority to compel any manufacturer to enter into engagements, ſhall immediately diſcharge the manufacturer and puniſh the perſon uſing compulſion by fining him in a ſum equal to the advances the manufacturer would be entitled to receive by ſuch engagements; and by the ſame fine and diſmiſſion upon a repetition of the offence.

3*d*. That every Agent do keep a diary either in the Engliſh or native languages, of all the acts performed or orders iſſued by him in virtue of his official capacity, and record all engagements entered into with the Byoparies, Molunghees or others, together with all petitions, whether proceeded upon or not; that he tranſmit a copy of his proceedings at the expiration of every month to the office of the Comptroller, in order to be laid before the Board of Revenue, as often as may be required.

4*th*. That when a contract ſhall have been voluntarily entered into by Byoparies, Molunghees or others, either for the proviſion or tranſportation of ſalt, the Agent is authorized to enforce the ſame by confinement or the attachment of their property: all ſuch inſtances are to be duly recorded and ſpecifically reported to the Comptroller in order that he may report the ſame to the Board of Revenue.

5th. That all advances to the Molunghees, or laborers, ſhall be made in public, and receipts taken for the amount.

6th. The Overſeers, Gomaſtahs, Peons and all perſons employed under the authority of the Agent are prohibited from taking or receiving any Tullubanah, gratuity, perquiſite or allowance either in money or effects, under any pretence whatever, from any Molunghees, Byopary, Contractor, laborer or other perſon employed or concerned in the manufacture or tranſportation of ſalt; and if any of the above deſcription of perſons under the authority of the Agent, ſhall be convicted of diſobedience to this order, he ſhall be compelled if a native to refund five times the amount ſo taken or received to the party injured and be confined till he diſcharges it, and if an European he ſhall be immediately diſmiſſed and ſent to Calcutta.

7th. That as many of the abuſes exiſting in the ſalt manufacture are to be attributed to the number of intermediate perſons employed between Government and the manufacturers, the Agent is required as far as poſſible to conclude engagements for the proviſion of ſalt with the perſons by whom it is actually manufactured.

8th. That the Agent depute from time to time creditable perſons, for the purpoſe of inſpecting the different places of manufacture during the boiling ſeaſon, and report the condition of the laborers and any ill treatment they may have experienced, in order that immediate relief may be afforded them with ſuch further redreſs at the expiration of the year as they may be entitled to; and the Agent is to be reſponſible for the redreſs of all complaints tranſmitted to him by the perſons ſo deputed.

9th. That all contracts entered into with Molunghees ſhall contain a clauſe binding them to employ no laborers or manufacturers but ſuch as ſhall voluntarily engage with them, under a penalty equal to the advances ſuch laborer may receive, agreeable to the tenor of the ſecond Regulation.

10th. That every Byopary, Molunghee, or other perſon entering into contract with the Agent for the proviſion of ſalt, ſhall have the option of delivering it either by weight or meaſure, the ſame being ſpecified in his agreement.

11th. That in all advances made by the Agent to the Contractor or others, the money be of full weight and counted and examined by the receivers or their Agents previous to their ſigning their receipts for the ſame; and that the periods for making the advances be ſpecified in the contracts and the amount paid accordingly.

12th. That according to the publication iſſued on the 12th October 1780, all perſons whatever be prohibited manufacturing ſalt except on account of the Company under pain of the ſalt ſo manufactured being confiſcated; and any perſons, giving information of ſalt having been made except on account of the Company, ſhall receive one half the quantity ſeized and confiſcated, as a reward for their trouble.

13*th*. That no Molunghee ſhall be ſubjected to any arbitrary occaſional demand of Zemindars, farmers or Collectors, on any account whatſoever; but only (according to the common right of Ryots) to the rents ſpecified in his Pottah and Kiſtbundee framed according to the ſtated eſtabliſhed dues of Government; and where ſuch Pottahs have not been granted, they ſhall be given on application; and any farmer, Zemindar or other perſon, employed in the collection of the revenue, convicted of levying any unauthorized demand upon the Molunghees, or manufacturers of ſalt, ſhall be compelled to refund the ſum to the perſon from whom ſuch exaction ſhall have been made, with double the amount for the firſt offence, and treble for the ſecond.

14*th*. That from the beginning of Cautick to the end of Aſſaur, no Gomaſtah, Molunghee, or other ſervant employed by the Salt Agent in the manufacture of ſalt, ſhall be confined by any Zemindar or other officer entruſted with the collection of the revenues, nor be put under Peons, nor ſummoned to their Cucherries on any pretence whatever (except in the caſe and manner hereafter deſcribed); but on any cauſe of complaint againſt a Molunghee or other perſon employed in the manufacture of ſalt for nonpayment of rent, the Zemindar, farmer or receiver of the revenues, ſhall firſt ſubmit his claim in writing to the Collector, who ſhall ſtate the ſame to the Salt Agent, who, if the Molunghee or ſuch other perſon be actually in the Company's employ, ſhall cauſe him to ſatisfy the real debt, or may diſcharge the ſame himſelf and ſtop the amount by Kiſtbundee from his future advances, ſo that his labor in the manufacture of ſalt be not interrupted. The Salt Agent is hereby required to afford immediate ſatisfaction for the real debt: but in the event of his not doing it, the Collector ſhall then iſſue his ſummons to the party, and ſend it to be ſerved by the Salt Agent, who ſhall cauſe him to appear on the day appointed either in perſon or by Vakeel; and ſhould it in any caſe be found at length neceſſary to diſtrain for juſt rent, the ſalt implements or advances in his hands ſhall be reſtored to the Company.

ORDERS *of the* GOVERNOR GENERAL *in* COUNCIL.

We direct, that the following Regulations, being extracts from the foregoing inſtructions to the Agents with the modifications we have thought proper to make therein, be immediately tranſlated into the Perſian and Bengal languages, and hung up in every Cucherry throughout the ſalt diſtricts; but as the reaſons which have induced us to publiſh them under this form will no longer exiſt at the expiration of the preſent ſeaſon, we direct that they be conſidered as in force only for that period, and that previous to the arrival of the time for making advances for the enſuing ſeaſon, you prepare and ſubmit to us a new code of Regulations declaring in the moſt full and explicit terms the principles on which we have determined the ſalt manufacture ſhall be

conducted, as laid down in the inſtructions to the Agents, in order that the ſame may be publiſhed, and that all perſons now employed in the manufacture or proviſion of ſalt, may renew their engagements or not as they may judge expedient.

1ſt That all Byoparies, Molunghees, Contractors, Mynandars, laborers and others, who have entered into engagements or received advances for the proviſion or manufacture of ſalt for the preſent ſeaſon, are to deliver the ſame according to their reſpective agreements; and, after having duly performed their preſent engagements, they ſhall be at liberty to renew them or not in future, or follow ſuch other occupations as they may think proper.

2d. That when a contract ſhall have been voluntarily entered into by Byoparies, Molunghees or others either for the proviſion or tranſportation of ſalt, the Agent is authorized to enforce the ſame, either by confining their perſons or attaching their property.

3d. The overſeers, Gomaſtahs, Peons, and all perſons employed under the authority of the Agent, are prohibited from taking or receiving any Tullubannah, gratuity, perquiſite or allowance, either in money or effects under any pretence whatever from any Molunghee, Byopary, contractor, laborer, or other perſon employed or concerned in the manufacture or tranſportation of ſalt.

4th. That in all advances made by the Agent to the Contractor or others, the money to be of full weight, and counted and examined by the receivers or their Agents, previous to their ſigning receipts for the ſame, and that the period for making the advances be ſpecified in the contracts and the amount paid accordingly.

5th. That according to the publication iſſued on the 12th October 1780, all perſons whatever are prohibited manufacturing ſalt except on account of the Honorable Company under pain of the ſalt ſo manufactured being confiſcated; and any perſons, giving information of ſalt having been made except on account of the Honorable Company, ſhall receive one half of the quantity ſeized and confiſcated as a reward for their trouble.

6th. That no Molunghee ſhall be ſubjected to any arbitrary occaſional demand of Zemindars, farmers, or Collectors on any account whatſoever, but only (according to the common right of Ryots) to the rents ſpecified in his Pottah and Kiſtbundee framed according to the ſtated eſtabliſhed dues of Government; and where ſuch Pottahs have not been already granted, they ſhall be given on application; and any farmer, Zemindar, Collector, or other perſon employed in the collection of the revenue, convicted of levying any unauthorized demand upon the Molunghees or manufacturers of ſalt, ſhall be compelled to refund the ſum to the perſon from whom ſuch exaction ſhall have been made with double the amount for the firſt offence and treble for the ſecond.

7th. From the firſt Cautic to the end of Aſſaar no Molunghees, Gomaſth, or other ſervant employed by the Salt Agent in the manufacture of ſalt, ſhall be confined by any Zemindar or other officer engaged in the collection of the revenues, nor be put under Peons, nor ſummoned to their Cutcherries on any pretence whatever (except in the caſe and manner hereafter deſcribed); but on any cauſe of complaint againſt a Molunghee or other perſon employed in the manufacture of ſalt, for nonpayment of rent, the Zemindar, farmer, or receiver of the revenues ſhall firſt ſubmit his claim in writing to the Collector who ſhall ſtate the ſame to the Salt Agent, who, if the Molunghee or ſuch other perſon be actually in the Company's employ, ſhall cauſe him to ſatisfy the real debt or may diſcharge the ſame himſelf and ſtop the amount by Kiſtbundee from his future advances, ſo that his labor in the manufacture of ſalt be not interrupted: the Salt Agent is hereby required to afford immediate ſatisfaction for the real debt, but in the event of his not doing it, the Collector ſhall then iſſue his ſummons to the party and ſend it to be ſerved by the Salt Agent who ſhall cauſe him to appear on the day appointed either in perſon or by Vakeel; and ſhould it in any caſe be found at length neceſſary to diſtrain for juſt rent, the ſalt implements or advances in his hands ſhall be reſtored to the Company.

ADVERTISEMENT *dated 27th May* 1789.

Conſiderable quantities of foreign ſalt having been lately imported into Bengal as Muſcat rock ſalt, and under pretence of its having been intended for medicinal purpoſes only,

NOTICE IS HEREBY GIVEN,

Firſt. That after the 1ſt of November next no ſalt, under the denomination of Muſcat ſalt will be allowed to be imported into Bengal, Behar and that part of Oriſſa under the dominion of the Company; unleſs it ſhall be accompanied with a certificate, duly authenticated by the officers of the Cuſtoms at Muſcat or Bombay, of its being the produce of, or having been exported from, the port of Muſcat.

Second. That no greater quantity of the above ſalt than two hundred Maunds of eighty-two Sicca weight, will be allowed to be imported in any one veſſel importing from Bombay; and no quantity exceeding five hundred Maunds in any one veſſel importing from Muſcat.

Third That any quantity of ſalt under the denomination of Muſcat ſalt, attempted to be imported in oppoſition to the reſtrictions contained in the preceding articles, will be

confiſcated and diſpoſed of at public ſale; and any perſon, giving information of Muſcat ſalt ſo illicitly imported, ſhall receive a reward of fifteen per cent on the proceeds of the ſales of the ſame.

Fourth. Any ſalt whatever (Muſcat ſalt as authorized in the firſt and ſecond articles excepted) not being the produce of Bengal, Behar, or that part of Oriſſa under the dominion of the Company, attempted to be imported into the territories above mentioned, without the expreſs ſanction of the Governor General in Council, will be confiſcated and diſpoſed of at public ſale, agreeable to the tenor of the general prohibition heretofore iſſued againſt the importation of foreign ſalt; and any perſon, giving information of ſalt ſo imported without authority, ſhall receive a reward of fifteen per cent on the proceeds of the ſale of the ſame.

EXTRACT *of* CONSULTATIONS *3d June* 1789.

Extract of a letter from the BOARD *of* REVENUE.

We beg leave to recommend, that the Salt Agents be inſtructed, on receiving information of any private manufacture of ſalt, to give notice thereof to the Collector of the diſtrict; and that the Collectors be directed, on receiving ſuch notice, to ſend immediately proper people, with thoſe of the Agent, to attach the ſalt and give it in charge to ſuch perſon as may be appointed by the Agent to receive the ſame.

We further beg leave to recommend, that the Zemindars of the diſtricts wherein ſalt is manufactured be made ſo far reſponſible for the obedience of perſons reſident within their Zemindaries to the orders of Government prohibiting any manufacture of ſalt by individuals on their own accounts, as to be rendered liable, after due notice given, to ſuch penalty as the Governor General in Council may in each caſe think proper to impoſe, on proof of their knowledge of any clandeſtine manufacture of ſalt within their Zemindaries and of their not having given notice thereof to the Collector of the diſtrict for the purpoſe of having the ſame confiſcated agreeably to the Regulations.

Reſolutions of the Governor General in Council.

Agreed that the propoſitions of the Board of Revenue for preventing the clandeſtine manufacture of ſalt be approved, and that they be directed to iſſue the neceſſary orders for carrying the ſame into effect.

SALT REGULATION *recorded on the 19th August 1789, and published on the 29th.*

Notice is hereby given, that all ſalt clandeſtinely tranſported within the Honorable Company's territories by land or water without a Rowannah or Chorchitty from the proper officer, or in greater quantity than is ſpecified in the Rowannah or Chorchitty, ſhall be confiſcated and diſpoſed of at public ſale; and any perſon, informing againſt ſuch clandeſtine tranſportation, ſhall receive a reward of fifteen per cent on the proceeds of the ſale of the ſame.

RESOLUTION *of the* GOVERNOR GENERAL *in* COUNCIL *21ſt October* 1789.

Agreed that the modified Regulations for the conduct of the ſalt manufacture be confirmed, as recommended by the Board of Revenue, and that they be informed the ſecond article of the modified Regulations is to be conſidered as extending as well to the contracts of the Byoparies, laborers &c. with the Molunghees and others, as to the immediate contracts with the Agents.

REGULATION *passed on 15th September* 1790.

Reſolved, that the fourteenth article of the Salt Regulations paſſed on the 10th December 1788 be rescinded, and that the Zemindars and other landholders be allowed to diſtrain for any arrears of rent due to them from their Ryots after eſtabliſhing the ſame before the Collector.

REGULATION *passed on 6th October* 1790.

The Governor General in Council having duly weighed the advantages and diſadvantages which attend the preſent mode of fixing the periods of the ſalt ſales a ſhort time only before the ſales take place, and thoſe that will probably reſult as well to the Government as to individuals from the ſales being made on certain fixed days in every year, whereby thoſe who are inclined to become purchaſers may be enabled in the interim to apply their money in ſuch a manner as to ſecure its return at the preciſe time when they will have occaſion for it,

NOTICE IS HEREBY GIVEN,

1st. That there will be four ſales in the courſe of the enſuing and every ſubſequent year, and that they will take place on the following dates;

The 1ſt on the	of March,
The 2d on the	of May,
The 3d on the	of July,
The 4th on the	of September.

2d. That the quantity to be ſold at each ſale will be rendered as equal as poſſible.

3d That a period of two months, calculated from the date of each ſale, will be allowed to the purchaſers for clearing out their purchaſes.

EXTRACT *of* CONSULTATIONS *of 27th October* 1790.

Extract of a letter from the BOARD *of* REVENUE.

We think it would be adviſable to direct the Collector to give immediate notice to the Agent of all decrees paſſed by him againſt Molunghees or others employed in the manufacture of ſalt; which will enable the Agent to prevent the levy of the diſtreſs by ſatisfying the decree if he thinks proper.

Extract of a letter in reply.

We think proper to confirm our reſolution of the 15th ultimo with the qualification propoſed by you, and direct that you inform the officers of the Salt Department accordingly.

REGULATION *published on the 20th April* 1791.

On the 3d June 1789 the following Regulation was paſſed by the Governor General in Council, and on the 18th of the ſame month ordered to be made public by the Collectors of the ſeveral diſtricts, wherein ſalt is manufactured.

The Zemindars of the diſtricts, wherein ſalt is manufactured are declared ſo far reſponſible for the obedience of perſons, reſident within their Zemindaries, to the orders of Government, prohibiting any manufacture of ſalt by individuals on their own accounts, as to be rendered liable, after the current month Aſſar 1196 or July 1789, to ſuch pe-

ſalty as the Governor General in Council may think proper to impoſe, on proof of their knowledge of any clandeſtine manufacture of ſalt within their Zemindaries, and of their not having given notice thereof to the Collector of the diſtrict, for the purpoſe of having the ſame confiſcated agreeably to the Regulations; and the Collector is directed to report all ſuch inſtances, with the evidence, to the Board of Revenue, who will communicate the ſame to the Governor General in Council.

On the 8th inſtant the Governor General in Council was pleaſed to reſolve, that the foregoing Regulation ſhould be extended to all inſtances of the clandeſtine traffick or tranſportation of ſalt, after the 1ſt day of Jyte or 12th May next, which may be proved to have been known to the Zemindars, as well of the diſtricts in which ſalt is manufactured as of the other diſtricts in the Company's Provinces; and the Collectors have accordingly been directed to report all ſuch inſtances, with the evidence, to the Board of Revenue to be ſubmitted to the Governor General in Council.

The Governor General in Council has at the ſame time been pleaſed to reſolve, that, inſtead of the rewards allowed by the exiſting Regulations to informers of the clandeſtine manufacture or tranſportation of ſalt, all perſons who ſhall hereafter give information of ſalt clandeſtinely manufactured, tranſported, or ſold within, or clandeſtinely imported into, the Company's Provinces, provided ſuch ſalt be ſeized in conſequence of their information, ſhall be allowed a reward of twenty five per cent, on the proceeds of the ſale thereof.

The Governor General in Council has likewiſe further reſolved, that the boats, cattle or carriages, employed in the clandeſtine tranſportation or importation of ſalt, be confiſcated, and ſold; and that informers be allowed one fourth of the proceeds thereof.

REGULATION *approved on the 20th May* 1791.

The Governor General in Council has been pleaſed to direct, under date the 20th inſtant, that all rock ſalt, hereafter imported, whether from Bombay or Muſcat, be landed at the Company's ſalt Golahs, inſtead of the Cuſtom-houſe as heretofore; that the Salt Comptroller furniſh the Cuſtom Maſter with an account of the quantity of ſalt imported on each veſſel, and that he detain the ſame until the Cuſtom Maſter's acknowledgment of the receipt of the eſtabliſhed import duty thereon be produced to him.

SALT REGULATION *recorded on the 30th September* 1791.

The Board, being of opinion, that the Salt Agents ſhould not quit their ſtations without the permiſſion of the Board of Revenue, they reſolve, that the forty ſeventh article of the

Regulations for the guidance of the Collectors of revenue, be extended to the Salt Department; and that all applications from the Agents for ſuch permiſſion be forwarded through the Comptroller, who is to accompany them with his opinion whether the ſtate of the manufacture, and of the buſineſs in general, admit of their being complied with.

REGULATION *recorded on the 2d December* 1791.

EXTRACT *of a letter from the* GOVERNOR GENERAL *in* COUNCIL *to the* BOARD *of* REVENUE.

We direct it be made a rule, that, if a complaint be preferred to any Salt Agent againſt a Gomaſtah, Molunghee or Byopary, or any officer under his authority for any acts done in oppoſition to the ſecond article of the Regulations confirmed on the 21ſt October 1789, and either of the parties ſhall be diſſatisfied with the deciſion paſſed thereon by the Agent, or if the Agent ſhall neglect or refuſe to make the neceſſary inquiries to aſcertain the truth of the charge (or, in the event of its having been proved, to grant the redreſs preferred in the abovementioned Regulation), the party deeming himſelf aggrieved ſhall be at liberty to appeal to the Salt Comptroller; who, after making ſuch inquiries as he may think proper, ſhall ſubmit all the papers relative to the caſe, with his opinion on the merits thereof, to your Board, and you will paſs ſuch deciſion thereon as may appear to you proper. In caſes in which it ſhall be proved to your ſatisfaction, that the Agent has refuſed or neglected to make the neceſſary inquiries to aſcertain the truth of the complaint (or, in the event of its having been eſtabliſhed, to grant the redreſs directed by the Regulation), you will report the circumſtances to us for our orders.

To facilitate the lodging of ſuch appeals we direct that in the diviſions of Bulloah and Chittagong, Roymungul and the Twenty-four Pergunnas, the appellant be permitted to prefer his petition of appeal to the Collector of the diſtrict in which he may reſide, and that the Collectors of the above diſtricts be ordered to receive and forward all ſuch petitions, that may be preſented to them, immediately to the Salt Comptroller. In the diviſions of Tumlook and Higeelee where the Agents are alſo Collectors of the revenue, the appellant muſt preſent his petition of appeal to the Salt Comptroller in Calcutta.

EXTRACT *of* CONSULTATIONS, 13*th April* 1792.

Extract of a letter from the BOARD *of* REVENUE.

We beg leave therefore to recommend, for the reaſons above ſtated, and in conformity with the opinion expreſſed by the Salt Comptroller, in the laſt paragraph of his letter, that

in all cases in which a seizure of smuggled or contraband salt, removed from the place of its manufacture, may be necessary; the Agents or Ameen at Naraingunge be authorized to depute persons to make the seizure without previously informing the Collector in whose district the salt may have been carried, unless they should require his aid, in which event we think he should be instructed to furnish the necessary assistance: as however it may possibly facilitate the discovery and punishment of any oppressions of which the officers of the Agent may be guilty in the execution of this duty, we think it might be expedient for the latter to inform the Collector, either immediately or as soon after his deputing persons for the seizure of contraband salt as convenient, of the steps adopted by him.

Resolution.

We agree to the propositions contained in the last paragraph of your letter with this qualification, that the power therein proposed to be vested in the Salt Agents and the Ameen at Naraingunge be limited to cases in which those officers shall be of opinion that the delay, which would necessarily arise in sending notice to the Collector, and waiting for the arrival of persons on his part to assist in the seizure of the salt, would afford the offenders an opportunity of conveying it away: in all other cases the Regulation of the 3d June 1789 is to be adhered to.

REGULATIONS FOR THE PROVISION OF OPIUM.

EXTRACT *of* CONSULTATIONS, 23*d November* 1773.

Resolved, that an exclusive privilege be given to Meer Munneer the successor of Meer Ashrof, for providing opium in the Bahar Province. That he shall engage to deliver in Calcutta all which may be produced in the Bahar Province, at 320 Sicca Rupees; and what he may procure from Gazypoor, or any other districts of the Nabob Shuja-ul-Dowla, at 350, agreeably to the annexed writing, which shall be sent to Patna for him to execute; that he shall deliver to the Dutch the usual quantity with which they have been supplied, at the customary price; that half the money shall be advanced immediately, and half on the delivery of the opium; that the quantity delivered to the Company, shall be sold on their account by public auction; and that what may be required for the settlement of Bilambangan, shall be reserved for it, and invoiced at the medium price of the sales at the auction. The Board are induced to give this exclusive privilege to Meer Munneer, in preference to any one else, because, being the person who has for some years been employed by the gentlemen of Patna in this business, he is the best acquainted with the proper mode for managing it, and will account with them for

any advances which they may have already made. As the ſucceſs of the opium trade depends much upon its quality, and the exportation of any which is bad renders the Malays ſuſpicious of the whole, and thereby diminiſhes the demand for it, and is injurious to this branch of the commerce of Bengal, the Agent ſhall be required to be particularly attentive to this object. And as conſiderable quantities of a bad quality have of late been imported from Niapoor, and other parts of the Nabob Shuja ul-Dowla's country, it is reſolved, that as a diſcouragenent to ſuch importation, and the manufacturing of bad opium, an additional duty of one Sicca Rupee per Seer be levied upon all opium not provided by the aforeſaid Agent; and that orders be in due time iſſued accordingly to the Cuſtom-houſes.

Perwannah.

Be it known to the Mutſiddies, Canongoes, and Zemindars of the Soubah of Bahar.

Whereas the management of all the opium in that Soubah is ſettled on Meer Munneer and Ramchund Pundit, account the year 1181 Fuſſily; it is therefore ordered, that ye do aſſiſt them in the management of that buſineſs, and on no account ſuffer any other perſon to interfere in it; and they on their parts will make their purchaſes of opium to the ſatisfaction of the cultivators, and by no means be guilty of any oppreſſion; 4th December 1773, anſwering to the 2nd of Augun 1180 Bengal.

EXTRACT *of* CONSULTATIONS 18*th January* 1775.

Tranſlation of a contract under the ſeals of Mahomed Munneer, and Ramchunder Pundit; dated 16th Rumzan in the Bengal year 1180, or 2d December 1773.

The Governor and Council having agreed with us, whoſe names are Mahomed Munneer and Ramchunder Pundit, that all the opium provided in the Province of Behar ſhould be provided by us for ſale, and that they will not permit any one elſe to buy opium in the ſaid province; we now make the following promiſes, and affix our ſignatures to the under written agreements:

1. That we will deliver all the opium produced in the Province of Behar, at Calcutta, at the rate of Sicca Rupees 320 for every cheſt containing two Maunds.

2. That whatever quantity of opium we or our Agents ſhall be able to procure in the Gazypoor country, or other of the Nabob Sujah-ul-Dowla's diſtricts, we will deliver at the rate of Sicca Rupees 350, in Calcutta, to the Governor and Council; that the riſk attending the tranſportation, and the expences of carriage, ſhall be ours, till the opium is delivered in Calcutta; and we will pay thoſe duties to the Nizamut, and to the Company, which have been eſtabliſhed upon this article by the late Regulations.

3. That advances to the value of half the opium to be provided, are to be made us now; and we are to receive the remaining half when the opium is delivered in Calcutta.

4. That we will take the utmoſt care that the opium ſhall be good, and fit for ſale. Should any doubts or difference ariſe regarding the goodneſs thereof, two men ſhall be appointed on the part of the Governor and Council, and two by us, to ſettle the difference. If it ſhould be determined by the arbitrators, that the opium is bad, and unfit for ſale, we will be anſwerable for whatever difference may be found by them; who will calculate it in proportion to the price opium may then bear in the Bazar or public market of Calcutta.

5. Should it be proved, that we either ſell or give opium, under any colour, to any perſon, beſides that which we give on the Company's account, and that which, according to cuſtom, we deliver into the Dutch factory, we will pay a fine of one Lack of Rupees to the Company.

6. That we will carry on our own buſineſs, without oppreſſing the Ryots, and will not forcibly oblige them to prepare their lands for the cultivation of the Coachnaur, or opium poppy; nor will we force them to cultivate the Coachnaur: they may till the lands as moſt agreeable to themſelves.

We have given this writing in the form of a contract, that it may be carried into execution.

EXTRACT *of* CONSULTATIONS, 23*d May* 1775.

Reſolved, that the following advertiſement be publiſhed in the Engliſh, Perſian and Bengal languages:

ADVERTISEMENT.

Notice is hereby given, that the Honorable the Governor General and Council, in their Revenue Department, have reſolved that the proviſion of opium ſhall be made the enſuing ſeaſon by contract: all perſons therefore who are deſirous of providing the whole quantity of opium produced in the provinces of Behar, Niapoor and Gazypoor, on the following conditions, are requeſted to ſend in their propoſals ſealed, to the Secretary to this Department, on or before the 15th June next.

The opium is to be delivered at the ſeat of the Provincial Council, in its crude ſtate.

It is to be brought by the Contractor to the place appointed for its reception by the

Provincial Council, and manufactured by him, under the ſuperintendence of a perſon or perſons appointed for that purpoſe by the Board.

The propoſals are only to mention the price.

Seperate propoſals will alſo be received for the produce of the other diviſions, on the terms abovementioned.

It is further to be obſerved, that none but perſons of undoubted credit and character will be permitted to hold theſe contracts, as none but their perſonal ſecurity will be required.

EXTRACT *of* CONSULTATIONS, *1ſt August* 1775.

Reſolved and ordered, that Mr. GRIFFITH* be called upon to inform the Board, what ſpecific quantity of opium he will undertake to provide, under ſuch a penalty as the Board ſhall fix; and what ſecurity he has to offer for the payment of the penalty.

Reſolved, that Mr. WILTON† be called on in the terms of the order to Mr. GRIFFITH.

EXTRACT *of a letter to the* PROVINCIAL COUNCIL *of* PATNA, *recorded in* CONSULTATIONS *of 3d September* 1776.

Having reſolved to continue the mode of providing the opium of the province of Behar by contract, for the enſuing year, we direct you to continue that aſſiſtance and ſupport to Mr. GRIFFITH, which we directed in our letter of the 18th Auguſt 1775, as we have renewed his contract for the enſuing ſeaſon.

We deſire you will obſerve, however, that it is not our intention to extend this protection to him in the proviſion of the opium of Ghazipoor, but that he is to be ſubject to the duty on all opium imported from the diſtrict of the Rajah of Benares, or the Province of Oude, in common with other adventurers.

A ſiwilar letter to the Provincial Council of Dinajpoor, in favour of Mr. WILTON.

---

* Whoſe propoſals had been approved for the proviſion of Behar opium.

† For Bengal opium.

EXTRACT *of a letter to the* PROVINCIAL COUNCIL *of* REVENUE *at* PATNA, *dated 1ſt Auguſt* 1777.

Having thought proper to grant Mr. JOHN MACKENZIE the excluſive privilege of providing the opium produced in the Province of Behar, after the expiration of Mr. GRIFFITH's contract, the 31ſt of this month, ſubject to the ſame Regulations on which it is now held by Mr. GRIFFITH, we direct that you advance to Mr. MACKENZIE, or his Agent, on his application, one half of the amount of his contract; and if, in the courſe of buſineſs, he ſhould require larger advances then the half beforementioned, the ſame is to be made at his requiſition, provided it be within the total of the ſum to which the opium he engages for amounts to.

We direct alſo, that on the commencement of Mr. MACKENZIE's contract, you do make the uſual publication, notifying the ſame to the Zemindars and others within your diſtrict. For your further information, we have directed our Secretary to forward to you a copy of the contract, as ſoon as it ſhall be executed; you will accordingly afford that gentleman, and his Agents, the ſame ſupport in the excluſive privilege of purchaſing opium, as has been given to the late Contractor.

It having been intimated to us, by good authority, that in or about the month of January 1776, a conſiderable tract of land in the neighbourhood of Ghya was covered with green corn, which would have been fit to cut in about a month or ſix weeks; that this corn was ſuddenly cut down, in order that the land might be prepared for the immediate cultivation of poppy; and that ſome Engliſh gentlemen were on the ſpot, who were witneſſes of the fact, and heard the univerſal complaints of the Ryots and farmers on this occaſion; We enjoin you ſtrictly to adhere to the former inſtructions, by which you are directed to prevent any force or compulſion whatſoever being uſed over the Ryots, to oblige them to cultivate the poppy in preference to any other article; and if we hear of a violation of theſe orders, through any other channel than yourſelves, we ſhall conſider you as directly reſponſible to us for it.

A ſimilar letter to the Provincial Council of Dinajpoor.

EXTRACT *of* CONSULTATIONS, *16th March* 1781.

Agreed, that the contract for the proviſion of the opium produced in the provinces of Bengal and Bahar, be granted to Mr. STEPHEN SULIVAN, for the term of four years, commencing from the 1ſt of next September, on the ſame conditions as it is held by Mr. MACKENZIE, the preſent contractor.

Ordered, that the neceſſary deeds be accordingly drawn up by the Company's Attorney.

ADVERTISEMENT *for the* OPIUM CONTRACT, *published* 11*th July* 1785.

This is to give notice, that, as the preſent contract with the honourable Company for the proviſion of opium in the provinces of Bengal and Behar will expire on the 31ſt of Auguſt next, The honourable the Governor General and Council will receive ſealed propoſals (to be delivered to the Secretary to the Revenue Department on or before the 15th of Auguſt next) for a new contract, which will be granted to the perſon or perſons who ſhall offer terms the moſt advantageous for the Company, for all the opium manufactured in the provinces. The term of the contract to be for four years, ſubject however to the Company's revocation of it, ſhould it be diſapproved of by them, or in caſe their orders be received for putting the future proviſion of opium on any other footing than the mode of the propoſed contract; in either of which caſes, the honourable Board ſhall be at liberty to diſcontinue and annul the engagements now propoſed to be entered into from the end of the year or ſeaſon in which ſuch orders may be received.

For the more particular information of all ſuch perſons as may be inclined to tender propoſals for the propoſed contract, they are hereby informed, that the period of the expiring one was for four years and its principal conditions were as follow.

1*ſt*. The Contractor to receive of the Company half the contract price in advance, together with ſuch further advances within the reſidue of the ſaid price as may be required to enable the Contractor to proceed to the performance of his engagements.

2*d*. The Contractor to pay to the Company the ſum of 10,000 Sicca Rupees in conſideration of their proteſting him in the excluſive privileges of his contract.

3*d*. The Contractor to provide and deliver annually to the Company the quantity of 3660 Maunds or 1830 cheſts of Behar opium, for which he was to be paid at the rate of 95 Sicca Rupees per Maund, together with two and half per cent commiſſion on the net ſales in Calcutta, and 50 Rupees per cheſt as a premium on any ſurplus quantity: and the quantity of 2,000 Maunds or 1,000 cheſts of Bengal opium, for which he was to be paid at the rate of 120 Sicca Rupees per Maund, together with twelve per cent as a gratification or premium on the amount of the advances made for the proviſion of whatever ſurplus quantity he can provide.

4*th*. The opium provided to be of the beſt ſort and at leaſt equal to the quality of the beſt opium of the Dutch Eaſt India Company

5*th*. The opium to be delivered by the Contractor at the Khalſa in Calcutta, the Con-

tractor being allowed at the rate of ten current Rupees per cheſt for its tranſportation.

6th. The opium to be collected in its crude ſtate, and well and ſufficiently manufactured, under the ſuperintendence, control and direction of ſuch perſons as the Governor General and Council ſhall from time to time appoint.

7th. The Contractor to pay to the Company the ſum of 300 Sicca Rupees, as a penalty on every cheſt ſhort of the ſtipulated amount of the Behar opium that he may prove deficient in the delivery of.

8th. The Contractor to deliver all the opium, which he may or can provide, to the Company or their Agents, and to pay a penalty of Sicca Rupees 750 for every cheſt that he may ſell, barter or otherwiſe diſpoſe of to any other perſon or perſons whomſoever.

9th. The Contractor to pay the uſual duties upon all and every part of ſuch opium, as may happen to be imported by him into the provinces of Bengal and Behar, from Gazepoor, the diſtricts of the Rajah of Benares or the province of Oude.

PROPOSALS *of Meſſrs.* W. YOUNG *and* P. HEATLY; *19th August* 1785.

1ſt. We engage to provide on account of the honourable Company 3,200 cheſts or 6,400 Maunds of opium from the province of Behar equal in quality to that ſupplied by the preſent Contractor or formerly provided by the Dutch Company, and to deliver the ſame manufactured, for four years, at the rate of Sicca Rupees ſixty-two and eight Annas per Maund, or Sicca Rupees 125 per cheſt.

2d. We engage to deliver, account the province of Bengal, 790 cheſts or 1580 Maunds of opium, at the rate of Sicca Rupees 100 per Maund or 200 Sicca Rupees per cheſt.

By the terms of former contracts inſpectors were to be appointed to ſuperintend the manufacture, but experience having ſhown, that it was productive of inconvenience to the buſineſs, and the cauſe of frequent reference to Calcutta, it was judged expedient to aboliſh them; and the increaſe of price at the ſales of the opium manufactured by the preſent Contractor, without ſuch controul, proves them to be uſeleſs. Should the honourable Board, however, deem them indiſpenſable, we acquieſce, but at the ſame time we beg leave to offer an alternative which we hope will be found more effectual towards preſerving the good quality of the opium to be delivered.

3d. We therefore engage to forfeit to the Honorable Company double the contract value of every cheſt that ſhall be found on delivery bad and unmerchantable, taking ſuch opium on our private account.

4th. We muſt receive one half of the price of the quantity of opium above ſtipulated for, on the commencement of each year of the contract at the ſeveral places where ſuch opium is produced, and the remainder in the courſe of each ſeaſon, as we may want it, agreeable to the indulgence granted to the preſent and late Contractor.

On receiving an allowance of ten current Rupees per cheſt;

5th. We engage to deliver the opium in Calcutta free of every other charge whatever to the Company.

Wiſhing to give every poſſible aſſurance for the good quality of the opium to be delivered, by making it our own intereſt to deliver none but the very beſt;

6th. We requeſt we may be allowed the ſame commiſſion on the ſales in Calcutta as was allowed to the late and preſent Contractors of two and half per cent.

The opium being moſtly produced in diſtricts where Sonauts only are current;

7th. We requeſt we may receive our advances in that ſpecie when we want them, as was granted to the late Contractors.

If in the courſe of any particular ſeaſon we ſhould be able to deliver any further quantity of opium beyond the expreſs quantity contracted for;

8th We requeſt we may receive for the ſame fifty Sicca Rupees per cheſt over and above the contract price of Sicca Rupees 125 per cheſt.

9th. We requeſt we may receive, on our application, ſuch further advances for the ſurplus quantity as the occaſion may require.

Should it be judged neceſſary, towards rendering the engagement between us and the Company legally valid, to pay a conſideration for the excluſive privilege, in that caſe,

10th We engage to pay into the Treaſury ten thouſand Sicca Rupees per annum for the ſame.

11th We requeſt we may receive the ſame ſupport in the excluſive privilege of providing opium as has hitherto been given to the preſent and all former Contractors, by continuing all former orders and Regulations on that head in full force; and, that all perſons concerned in the clandeſtine purchaſe or ſale of opium within the Provinces in defiance of the orders of Government be puniſhed, on conviction, at the diſcretion of the Magiſtrate.

The opium being an article of finance, not of commerce, and as much one of the reſources of the ſtate, as the ſalt, landed collections, cuſtoms or any other branch of

public revenue, and it having been conſidered as ſuch during the Mogul Government, which farmed out the excluſive privilege for an annual Peſhcuſh;

12*th*. We ſubmit it as a matter deſerving the ſerious conſideration of the Board, whether it would not be proper to come to ſome public declaration or reſolution expreſſive of the ſame, in order to prevent the interference of the Supreme Court by taking cognizance of litigious complaints which might prove detrimental to the buſineſs, as the former interference of that Court is known to have been to the landed collections. Inſtances of which have occurred during the time of the late and preſent contract. And the Supreme Court laſt year, in a cauſe inſtituted by a man whoſe opium was ſeized, pronounced a ſolemn judgment, that the action was not juſtified by the Regulations of the Board, and that it was an article of commerce not of revenue. We do not, however, mean to make this an expreſs ſtipulation in our engagements with the Company; and, that it might not be ſuppoſed we wiſh to have it in our power to commit oppreſſion ourſelves, or to allow it in our Gomaſtahs and Agents with impunity, we are willing to ſubmit to whatever Regulations the Board may think fit to eſtabliſh, being convinced that the buſineſs cannot proſper unleſs equal juſtice can be diſtributed to the Ryots.

13*th*. We engage to pay to the Company 300 Sicca Rupees, as a penalty for every cheſt ſhort of the ſtipulated amount of the Behar opium that we may prove deficient in the delivery of.

14*th*. We engage to deliver all the opium, which we may or can provide, to the Company or their Agents, and to pay a penalty of Sicca Rupees 750 for every cheſt that we may ſell, barter or otherwiſe diſpoſe of to any other perſon or perſons whomſoever.

15*th*. We engage to pay the uſual duties upon all and every part of ſuch opium, as may happen to be imported into the Provinces of Bengal and Behar, from Ghazepoor, the country of the Rajah of Benares or Oude.

16*th*. The opium to be manufactured in the places furniſhed by the Company for the purpoſe, and the Company to keep the ſame in repair as cuſtomary.

We rely on the experience which one of us has obtained in the opium buſineſs in Behar for four years as Agent to the preſent Contractor, for being able to fulfil the engagements we now offer, and we are of opinion that no other perſon can undertake the concern in Behar on the ſame terms without certain loſs. Should therefore our offers for the Behar opium be evidently more advantageous for the Company than thoſe of any other perſon, although our offers for the Bengal opium ſhould be higher, in that caſe,

17*th*. We are hopeful that the Honorable Board will grant us a ſeparate contract for the proviſion of the Behar opium.

RESOLUTIONS *passed on the 9th September 1785.*

It appearing from the reports delivered in by the reſpective accountants, that the propoſals from Meſſrs. YOUNG and HEATLY, bearing date the 13th of Auguſt 1785, are the loweſt;

Agreed that they be accepted, and that the draught of a contract be accordingly prepared in the terms of the advertiſement of the 11th of July laſt and of their propoſals, including the following further expreſs proviſos.

1*ſt*. That the Board reſerve to themſelves the appointment of inſpectors to ſuperintend the proviſion and manufacture of the opium.

2*d*. That it be the duty of the Collectors of the ſeveral diſtricts to hear all complaints of the Ryots againſt the Contractors and their officers, and to grant ſuch redreſs, according to the former practice and uſage of the reſpective diſtricts, as may be requiſite, and that this proviſion be publicly notified by advertiſement throughout the diſtricts where opium is manufactured; with this condition that the Contractors may appeal to the Board from the deciſion of the Collectors, provided ſuch appeal be made within one month from the date of ſuch provincial deciſion, which is in the mean time to be in force, and obeyed, till the judgment on the appeal ſhall have been paſſed.

ADVERTISEMENT *for the* OPIUM CONTRACT, *dated 29th July 1789.*

Notice is hereby given, that, as the preſent contract with the Honourable Company for the proviſion of the opium in the provinces of Bengal and Behar will expire on the 31ſt Auguſt next, ſealed propoſals of contract for the future proviſion of all the opium produced in the provinces of Bengal and Behar, and alſo in the Zemindaree of Benares, will be received by the Secretary to the Government on or before the 31ſt day of Auguſt next abovementioned. Propoſals will be received on account of Bengal, Behar, and Benares collectively, or for each of the above provinces or the ſaid Zemindaree ſeparately, or Bengal and Behar, or Bengal and Benares, or Behar and Benares.

Bengal and Behar.

The contract for the proviſion of the opium in Bengal and in Behar to be held under the following conditions.

1*ſt* In the event of the Court of Directors diſapproving of the terms of the contract, or making any alteration in the mode of providing the opium, or relinquiſhing the proviſion of the ſame altogether, the Governor General in Council to be at liberty to annul the engagements which may be entered into in conſequence of this advertiſement from

the end of the year or ſeaſon (that is the 31ſt Auguſt) in which the orders notifying ſuch diſapproval, alteration, or relinquiſhment ſhall be received in Bengal.

2*d*. The contract to be for four years commencing from the firſt September next.

3*d*. The contract to be concluded for Sicca Rupees, and the advances to the Contractor to be made in that ſpecie, and no other ſpecie to be advanced by him to the Ryots.

The Advances to the Contractor for the firſt year of the contract to be made in the following proportions and at the undermentioned periods.

In	Aſſin - - -	2	Sixteenths,
	Cautic - - -	3	ditto,
	Aughun - - -	3	ditto,
	Poos - - - -	3	ditto,
	Maug - - -	3	ditto,
	Phaugun - - -	2	ditto,
		16	

The advances for the three remaining years to be made as follows.

In	Aſſar - -	2	Sixteenths,
	Sawun - - -	3	ditto,
	Bhadoor - -	3	ditto,
	Allin - - -	3	ditto,
	Cautic - - -	3	ditto,
	Aughun - - -	2	ditto,
		16.	

4*th*. The Contractor to engage to deliver annually ſix thouſand four hundred factory Maunds of Behar, and one thouſand five hundred and eighty factory Maunds of Bengal opium; each factory Maund to contain forty Seers, and each Seer to weigh ſeventy two Sicca Rupees and ten Annas. The opium to be delivered in cheſts containing two factory Maunds each. The Contractor to receive, for every cheſt of opium of the above-mentioned weight, which ſhall be delivered by him over and above the ſtipulated quantity, the ſum of fifty Sicca Rupees per cheſt in addition to the contract price.

5*th*. The Bengal opium to be equal in quality to the Bengal opium of 1788-9, and the Behar opium to be of the ſame quality as the Behar opium, of the year abovementioned. Three cheſts of Bengal and three of Behar opium, the produce of 1788-9, will be depoſited at the Khalſah as a ſtandard for aſcertaining the quality of the opium delivered. Any diſputes, that may ariſe between the officers of Government and the Contractor, regarding the quality of the opium delivered, to be determined by three creditable perſons to be appointed by Government, who ſhall be bound by oath to decide impartially.

6th. The Contractor to pay to the Company a penalty of 300 Sicca Rupees per cheſt for every cheſt of opium ſhort of the ſtipulated quantity which he ſhall fail in the delivery of, and to refund the amount of the advances made to him for the proviſion of the quantity deficient: ſhould either the whole or any part of ſuch deficiency be occaſioned by hail ſtorms, hurricanes, or any other calamity of ſeaſon, the Contractor not to be ſubject to the payment of the above mentioned penalty for ſuch part of the quantity deficient as he may prove, to the ſatisfaction of the Collector of the diſtrict and the Governor General in Council, to have been occaſioned by ſuch calamity, but ſhall only refund the amount of the advances with an intereſt of eight per cent per annum, for the time he may have had the uſe of it. The Contractor, within five days after ſuch calamity ſhall have occurred, to repreſent the ſame to the Collector of the diſtrict, in order that he may take the neceſſary meaſures for aſcertaining the loſs occaſioned thereby as directed in the ſeventeenth article. Should the Contractor fail to inform the Collector of ſuch calamity within the period abovementioned, no remiſſion of the penalty will be allowed him for deficiencies in his deliveries occaſioned thereby.

7th. The opium to be delivered by the Contractor at the Khalſah office in Calcutta. The charges of package and manufacture and the charges and riſk of tranſportation and delivery, to be on account of the Contractor.

8th The Contractor to deliver to the Company or their Agents all the opium which he may be able to provide, and to pay a penalty of Sicca Rupees 750 for every cheſt of opium that he may ſell, barter, or otherwiſe diſpoſe of to any other perſon or perſons whomſoever.

9th. The Contractor to pay to the Raja of Benares a duty of two and half percent on all opium imported by him from the dominions of the Nabob Vizier on the valuation ſpecified in his Excellency's Rowanna, and two and half per cent on its entering the Company's Provinces on the valuation inſerted in the Benares Rowanna, which will be the ſame, as that ſpecified in the Rowanna granted by the officers of the Nabob Vizier. The contractor not to be liable to the payment of any duties on the opium provided by him in Bengal or Behar.

The Contractor for the Bengal opium not to import or provide any opium the produce of Behar or Benares under pain of the ſame being confiſcated. The Contractor of the Behar opium not to import or provide any opium the produce of Bengal or Benares under the penalty abovementioned; ſhould the ſame perſon contract for the proviſion of the opium of two or more of the above countries, theſe reſtrictions not to operate with regard to the opium produced within the countries included in his contract.

10th. Government to deliver over to the Contractor, for the purpoſes of manufacturing the opium, ſuch houſes and godowns in Bengal and in Behar belonging to the Company

as may be now in the poſſeſſion of the preſent Contractors Meſſrs. YOUNG and HEATLY, upon condition of his re-delivering them to Government at the expiration of his contract in the ſame ſtate of repair in which they may be made over to him. The Contractor to defray the charges of whatever repairs may be required for the godowns or houſes from the period of their being made over to him to the time of their being re-delivered by him to the officers of the Company.

11*th*. The Contractor to be amenable to the Courts of Dewannee Adaulut in all matters relating to his contract, with the right of appeal to the Sudder Dewannee Adaulut, ſubject to the ſeveral rules and reſtrictions preſcribed by the judicial Regulations. The Judges of the Dewannee Adauluts to take cognizance of all cauſes reſpecting opium inſtituted by the Contractor or his Agents againſt the Ryots or others concerned in the proviſion or manufacture of opium, or by the latter againſt the former, and to proceed to try and decide upon the ſame previous to any other ſuits which may be pending in their Courts, and to award damages againſt the party caſt according to the circumſtances of the caſe agreeable to the uſage obſerved in all other ſuits.

12*th*. The Contractor to be reſponſible for the acts of his Agents, Gomaſtahs, and all perſons employed by him and to bind himſelf to ſatisfy all decrees which may be paſſed by the Courts of Dewannee Adaulut againſt him, his Agents, Gomaſtahs, or the perſons employed by him, from whom he is to take ſuch ſecurity, as he may think proper previous to entertaining them.

13*th*. The Khoſkhereed or advanced price of eight Annas per Seer hitherto paid by the Contractor for every Seer of opium produced in the ſeveral Pergunnas in Behar over and above the Tydaad or ſtandard produce of 1185 to be aboliſhed, and in lieu thereof the Contractor to pay to the Ryots an increaſe of two Annas per Seer on the groſs produce of the Soubah as ſpecified in the account in the fifteenth article.

14*th*. The Contractor not to levy the ceſſes in Behar known by the names of Bathy, Bathy Mamooly, Ruſſoom, Biſhunpereet, nor any other ceſſes or Abwabs whatever, although the ſame ſhould not be ſpecified in the account inſerted in the following article (Chellaan or allowance for the drying up and waſtage of the crude material in tranſporting it from the Pergunna to the place of manufacture excepted, as authorized in the following article), under pain of being obliged to refund the amount, and to pay a penalty of three times the ſum to the party from whom it may have been exacted, together with ſuch coſts of ſuit as ſuch party may have incurred in the proſecution of his complaint in the Dewannee Adaulut.

15*th*. The Contractor to pay the following prices to the Ryots for their opium, and to advance the ſame to them at the cuſtomary periods.

The advances from the Contractor to the Ryots in Sircar Sarun, Rutty Guddafir, Sariſſa, Cuſmar, Tirhoot, Nurſingpoor Korah, Chynpoor Khaas, Saſſeram and Tillotoo, Arrah, Powar, Peroo, Nunnore, Behere, Bojepoor, and Denwah, to be made, agreeable to the thi d article, in Sicca Rupees, the Batta between the ſame and the different ſpecies of Rupees in which the advances have been heretofore paid as ſpec fied in the preceding account to be adjuſted by the Collector of the diſtrict.

16*th*. The Contractor or his Agents at the ſeaſon for ſowing the poppy to be allowed to take engagements from the cultivator for the ſpecific number of Begas to be cultivated only, and not alſo as heretofore for the ſpecific quantity of opium to be produced in thoſe Begas. The Contractor not to be permitted to compel the Ryots to engage for the cultivation of a greater number of Begas than they cultivated the preceding year. The increaſing that number or not to be left to the option of the Ryots. When the poppy ſhall be full grown, the Contractor then to depute his Agent, who, with the cultivator, ſhall proceed into the field, and with aſſiſtance of two or three other creditable cultivators form the eſtimate of what ſuch field is to produce, whereupon the grower to enter into engagements to deliver ſo much, and ſhould the field produce more, to deliver that alſo pro rato.

17*th*. In the event of the crops being injured by hail ſtorms, hurricanes or any other calamity of ſeaſon, either previous or ſubſequent to the completion of the eſtimate of the produce directed to be formed in the preceding article, the Collector of the diſtrict, upon application being made to him by the Contractor within five days after ſuch calamity ſhall have happened, to depute an Ameen to aſcertain in conjunction with the Agents of the Contractor and the Ryots, the actual extent of the loſs occaſioned thereby. The charges of Ameens ſo deputed to be defrayed by the Contractor.

18*th* The Contractor and his Agents not to confine, beat or diſtrain the property of, or levy any Tullubannah fines or Salamy from, any Ryots or perſon engaging for the proviſion of opium, under pain of being obliged to refund three times the amount to the party from whom ſuch exaction ſhall have been levied, and being further compelled to pay to the complainant the amount of the coſts incurred by him on the proſecution of his ſuit for the recovery thereof in the Dewannee Adaulut.

19*th*. The weights and ſcales made uſe of in the Kotees or warehouſes in the different Pergunnas for weighing the opium received from the Ryots, to be ſealed with the ſeal of the Collector of the diſtrict, and examined annually by him, or by ſuch perſon as he ſhall think proper to appoint for that purpoſe, during the month of January.

The Contractor or his Agents, making uſe of weights or ſcales not ſo ſealed, or of uneven ſcales or deficient weights although ſealed, to be liable to ſuch fine as the Judge may think proper to impoſe. In weighing the opium the ſcales not to be held up in the hands of the Dundeedar or native weighman, but the opium to be weighed in the preſence of both parties in the mode known under the denomination of Dherm Dundee (or fair and conſcientious weighing) by the ſcales being poiſed on a wooden ſtand fixed in the earth.

20*th*. In the event of the cultivator failing to deliver in the full quantity of opium agreed for by him, in the manner ſpecified in the ſixteenth article, the undermentioned conſequences to follow.

1*ſt*. If ſuch failure be occaſioned by no fault on his part, he is only to refund the proportional part of the advance received by him, with intereſt at the rate of eight per cent per annum for the time he may have had the uſe of it, and without any other mulct, penalty, or fee whatſoever.

2*d*. If the Contractor ſuſpect or believe the cauſe of failure to be in the wilful neglect or embezzlement of the Ryot, he is to complain to the Judge of the Dewannee Adaulut of the diſtrict, and upon proof of its having been owing to neglect, the Judge to award that the Ryot ſhall reſtore the proportional advance with intereſt at the rate of twelve per cent per annum; and if from embezzlement or otherwiſe diſpoſing of it, the Judge to puniſh ſuch offence by impoſing a fine of four Sicca Rupees per Seer, and confiſcating the opium where it can be ſeized, and, where it cannot be ſeized, by a fine of ten Sicca Rupees per Seer to be levied by the mode of proceſs laid down by the Judicial Regulations for the enforcement of decrees.

3*d*. The Ryot to be liable to no penalty for breach of contract, unleſs in the caſe of embezzlement, where it ſhall not appear and be proved, that he had in his hands, at the period of the failure, unliquidated advances from the Contractor; but where he wilfully embezzles the crude material, by ſelling or diſpoſing of it to others, although without having at ſuch time any of the advances of the Contractor in his hands, the Contractor to complain againſt him to the Judge of the Adaulut of the diſtrict in which ſuch perſon ſhall reſide, who is to puniſh ſuch offence in the mode pointed out in the ſecond clauſe of this article.

21*ſt*. Where the Ryot mixes water with the crude material with a view to increaſe the weight of it, and brings it in that ſtate to be delivered, the Contractor or his Agent to appoint two or more creditable opium growers to decide, on their Dherm or

conſcience, what ſurplus quantity or Kurdah ſhall be taken for ſuch increaſe of weight by the undue admixture of water, and the parties ſhall abide by their award, unleſs it ſhall be proved to the ſatisfaction of the Judge that the arbitrators have been guilty of partiality.

22*d*. Where the crude material ſhall be delivered in by the growers in an adulterated ſtate, as by the mixture of foreign ingredients (excluſive of the water noticed in the preceding article), the Contractor immediately to ſeize on and declare the ſame confiſcated; at the ſame time ſealing it up in the preſence of the Ryot and under his mark, and in the preſence of two or more creditable witneſſes, and depoſiting it in a ſecure and ſeparate place, and leaving the Ryot to have recourſe againſt him to the judicial power, for which purpoſe he is to keep the ſaid opium thus ſealed up for three weeks, and if in that time the Ryot lodge not his complaint, it ſhall not be afterwards heard; but the Contractor may then open the ſaid opium, and ſell it for his own advantage for local conſumption, liable to ſuch fine as Government may think proper to impoſe, ſhould it ever be proved that he had made up any part of ſuch adulterated and condemned opium in that which he is to deliver to the Company.

23*d*. Should the Aumils, Zemindars, or renters, exact more from the Ryots on account of their opium lands than the eſtabliſhed rates, the Contractor to have the privilege of repreſenting the circumſtances to the Collector, who ſhall forthwith inquire into the ſame and grant due redreſs.

24*th*. The Contractor to be ſubject to the payment of certain charitable allowances to Brahmens, and indulgences to the head cultivators, in the Subah of Behar, amounting annually to about 17,000 Rupees, a liſt of the particulars of which may be ſeen at the office of the Secretary to the Government. Should any ſuch charitable allowances or indulgencies exiſt in Bengal, an account thereof will be hereafter publiſhed.

25*th*. Should any diſputes ariſe between the Contractor or his Agents and the Ryots, or others relative to the cultivation, proviſion, or tranſportation of opium not provided for in the preceding articles, either party to be at liberty to apply for redreſs to the Court of Dewannee Adaulut, the Judge of which to paſs ſuch deciſion as he may think equitable, upon a conſideration of the circumſtances of the caſe.

26*th*. Government to engage to take ſuch meaſures as they may think moſt effectual to prevent Europeans and others ſmuggling opium, or otherwiſe carrying on an illicit traffick therein.

Benares.

The contract for the provision of the opium in Benares to be held under the following conditions:

First In the event of the Court of Directors disapproving of the terms of the contract, or making any alteration in the mode of providing the opium in Benares or relinquishing the provision of the same altogether, the Governor General in Council to be at liberty to annul the engagements which may be entered into in consequence of this advertisement, from the end of the year or season (that is the 31st August) in which the orders, notifying such disapproval, alteration, or relinquishment, shall be received in Bengal.

Second. The contract to be for four years commencing from the 1st September next.

Third. The Contractor to engage to deliver, annually, 700 chests of opium, of two Maunds each, each Maund containing forty Seers, and each Seer weighing seventy six Benares Rupees and four Annas. The Contractor to receive for every chest of opium, of the abovementioned weight, which shall be delivered by him over and above the stipulated quantity, the sum of fifty Sicca Rupees per chest, in addition to the contract price.

Fourth. The contract to be concluded for Sicca Rupees, and the advances to the Contractor to be made in that specie; and no other specie to be advanced by him to the Ryots. For the first year of the contract the advances to be made to the Contractor in the following proportions.

In Assin,	- -	2 Sixteenths.
Cautick,	-	3 do.
Aughun,	- -	3 do.
Poos,	- -	3 do.
Maug,	- -	3 do.
Phaugun,	-	2 do.
		16 do.

For the three last years of the contract.

In Assar,	- -	2 Sixteenths.
Sawun,	- -	3 do.
Bhaudoor,	-	3 do.
Assin,	- -	3 do.
Cautick,	- -	3 do.
Aughun,	-	2 do.
		16 do.

Fifth. The opium to be delivered, to be equal in quality to a cheſt of the Benares opium, the produce of 1788-9, three cheſts of which will be depoſited in the Khalſah, as a ſtandard for aſcertaing the quality of the opium delivered. Any diſputes that may ariſe between the officers of Government and the Contractor, regarding the quality of the opium delivered, to be determined by three creditable perſons to be appointed by Government, who ſhall be bound by oath to decide impartially.

Sixth. The Contractor to pay to the Company a penalty of 300 Sicca Rupees per cheſt of opium, ſhort of the ſtipulated quantity, which he ſhall fail in the delivery of, and to refund the amount of the advances made to him for the proviſion of the quantity deficient Should either the whole or any part of ſuch deficiency be occaſioned by hail-ſtorms, hurricanes, or any other calamity of ſeaſon, the Contractor not to be ſubject to the payment of the abovementioned penalty, for ſuch part of the quantity deficient as he may prove to the ſatisfaction of the Reſident and the Governor General in Council to have been occaſioned by ſuch calamity, but ſhall only refund the amount of the advances, with an intereſt of eight per cent per annum, for the time he may have had the uſe of it. The Contractor, within five days after ſuch calamity ſhall have occurred, to repreſent the ſame to the Reſident, in order that he may take the neceſſary meaſures for aſcertaining the loſs occaſioned thereby, as directed in the thirteenth article. Should the Contractor fail to inform the Reſident of ſuch calamity, within the period abovementioned, no remiſſion of the penalty will be allowed him for deficiencies in his deliveries occaſioned thereby.

Seventh. The Contractor to deliver to the Company, or their Agents, all the opium which he may be able to provide, and to pay a penalty of 750 Sicca Rupees per cheſt for every cheſt of opium that he may ſell, barter, or otherwiſe diſpoſe of, to any other perſon or perſons whomſoever.

Eighth. The opium to be delivered by the Contractor at the Khalſah Office in Calcutta. The charges of package and manufacture, and the charges and riſks of tranſportation and delivery, to be on account of the Contractor.

Ninth. The Contractor to pay to the Rajah of Benares a duty of two and half per cent on all opium which he may import from the dominions of the Nabob Vizeer, on the valuation which may be ſpecified in his Excellency's Ruwanna, and a duty of two and half per cent to the Company on the valuation inſerted in the Benares Ruwanna, (which will be the ſame as that ſpecified in the Ruwanna granted by the officers of the Nabob Vizeer;) upon its entering the Company's provinces. Upon all opium provided within the Zemindarry of Benares, the Contractor, upon exportation thereof, to pay to the

Rajah a duty of two and half per cent on the valuation ſpecified in the Benares book of rates, and a duty of two and half per cent on the ſame valuation to the Company upon its entering the province of Behar.

Tenth. The Contractor not to import or provide any opium, the produce of Behar or Bengal, under pain of the ſame being confiſcated. This reſtriction not to operate with regard to Behar, ſhould he contract for the proviſion of the opium of that province; nor Bengal, ſhould he engage to provide the opium of that province alſo.

Eleventh. The Contractor to pay to the Ryots two Benares Sicca Rupees and eight Annas for each Seer of pure opium, weighing ninety ſix Benares Sicca Rupees, and to advance the ſame to them at the cuſtomary periods: the Contractor to be allowed to take from the Ryots, excluſive of the above weight, a ſurplus of one Chattack per Seer, making two and half Seers per Maund, as an allowance for the drying up and waſtage of the crude material, before it be made into cake. This allowance, however, not to be exacted by the Contractor until the end of the year, or towards the ultimate ſettlement of accounts.

Twelfth. The Contractor, or his Agents, at the ſeaſon for ſowing the poppy, to be allowed to take engagements from the cultivator for the ſpecific number of Begahs to be cultivated only, and not alſo for the ſpecific quantity of opium to be produced in thoſe Begahs. The Contractor not to be permitted to compel the cultivators to engage for the cultivation of a greater number of Begahs than they cultivated in the preceding year. The increaſing that number, or not, to be left to the option of the Ryots. When the poppy ſhall be full grown, the Contractor then to depute his Agent, who, with the cultivator, ſhall proceed into the field, and with the aſſiſtance of two or three other creditable cultivators form the eſtimate of what ſuch field is to produce, whereupon the grower ſhall enter into an engagement to deliver ſo much; and ſhould the field produce more, to deliver that alſo pro rato.

Thirteenth In the event of the crops being injured by hail, or any other calamity of ſeaſon, either previous or ſubſequent to the eſtimate of the produce, directed to be formed in the preceding articles, ſhall have been completed, the Reſident, upon application being made to him by the Contractor, (within five days after ſuch calamity ſhall have happened) to depute an Aumeen, to aſcertain, in conjunction with the Agents of the Contractor and the Ryots, the actual extent of the loſs occaſioned thereby. The charges of Aumeens ſo deputed to be defrayed by the Contractor.

Fourteenth. The ſcales and weights made uſe of by the Contractor, or his Agents, in weighing the opium received from the Ryots, to be ſealed with the ſeal of the Reſident,

and examined annually by him, or by such person as he may think proper to appoint for that purpose, during the course of the month of January. The Contractor or his Agents, making use of weights or scales not so sealed, or of uneven scales, or deficient weights, although sealed, to be liable to such fine as the Judge may think proper to impose.

In weighing the opium, the scales not to be held up in the hands of the Dundeedars, or native weighmen, but the opium to be weighed in the presence of both parties, in the mode known under the denomination of Dherm Dundee (or fair and conscientious weighing) by the scales being poised on a wooden stand fixed in the earth.

Fifteenth. In the event of the cultivator failing to deliver in the full amount agreed for by him, in the manner specified in the eleventh article, the following consequences to follow.

1*st.* If such failure be occasioned by no fault on his part, he is only to refund the proportional part of the advance received by him, with interest at the rate of eight per cent per annum for the time he had the use of it, and without mulct, penalty or fee whatsoever.

2*d.* If the Contractor suspect or believe the cause of failure to be in the wilful neglect or embezzlement of the Ryot, he is to complain to the judicial power: that is, to the native Adaulats, or directly to the Resident, and upon proof of its being owing to neglect, the Judge or Resident to award that the Ryot shall restore the proportional advance, with interest at the rate of twelve per cent per annum; and if from embezzlement, or otherwise disposing of it, the Resident or Judge to punish such offence by imposing a fine of four Sicca Rupees per Seer, and confiscating the opium, if it can be seized, and, where it cannot be seized, by a fine of ten Sicca Rupees per Seer, to be levied by the mode of process laid down in the Judicial Regulations for the enforcement of decrees.

3*d.* The Ryot to be liable to no penalty for breach of contract (unless in the case of embezzlement) where it shall not appear and be proved, that he had in his hands, at the period of the failure, unliquidated advances from the Contractor; but where he wilfully embezzles the crude material, by selling it to others, although without having at such time any advances of the Contractor in his hands, the Contractor is to complain against him to the Resident, or the native Court of Adaulut, in which such person shall reside, and the Resident or Judge shall punish such offence in the mode pointed out in the second clause of this article.

Sixteenth. Where the Ryot mixes water with the crude material, with a view to increase the weight of it, and brings it in that state to be delivered, the Contractor, or his Agent, shall appoint two or more head and creditable opium growers, to decide, on their Dherm or conscience, what surplus quantity shall be taken for such increase of weight, by the undue admixture of water, and the parties shall abide by their award unless it shall be proved, to the satisfaction of the Resident or Judge, that the arbitrators have been guilty of partiality.

Seventeenth. Where the crude material ſhall be delivered in by the growers in an adulterated ſtate, as by mixture of foreign ingredients, (excluſive of the water noticed in the preceding article) the Contractor is immediately to ſeize on and declare the ſame confiſcated; at the ſame time ſealing it up, in the Ryot's preſence, and under his mark; and depoſiting it in a ſecure and ſeparate place, and leaving the Ryot to have recourſe againſt him to the judicial power, for which purpoſe he is to keep the ſaid opium there ſealed up for three weeks, and if in that time the Ryot lodge not his complaint, it ſhall not be afterwards heard; but the Contractor may then open the ſaid opium, and ſell it for his own advantage, for local conſumption, being for the reſt liable to ſuch fine as Government may think proper to impoſe, ſhould it ever be proved that he had made up any part of ſuch adulterated and condemned opium, in that which he is to deliver to the Company.

Eighteenth. The Contractor, or his Agents, from the firſt to the laſt, in degree or detail, to be poſitively prohibited from collecting any fee, premium, Aret or Duſtoor on their engagements with the Koerees or opium Ryots, on pain of paying three times the amount of all ſuch exactions or receipts, together with the complainant's coſts of ſuit, to be eſtimated by the Judges, on proof before the judicial power, which fine is to be levied by the ſaid Courts, not from the native receivers, but from the Contractor, or from his chief Agent on the ſpot, leaving him to ſettle with his inferior Agents thus offending, and the whole amount of this penalty, together with coſt of ſuit, as above ſpecified, to be awarded by the Judge to the party from whom the exaction was made.

Nineteenth. The Contractor to be amenable to the Moſuſſil and Sudder Courts of Juſtice in all matters relating to his contract.

Twentieth. The Contractor, or his Agents, and the opium cultivators, to have the option of lodging their complaints in the firſt inſtance before the native Judges of the Moſuſſil Courts, or immediately before the Reſident. Complaints preferred in the native Courts to be appealable to the Reſident; and complaints lodged before the Reſident to be appealable to the Governor General in Council, provided the amount of the ſuit ſhall not be leſs than the ſum limited by the Regulations.

ADVERTISEMENT *publiſhed on* 15*th Auguſt* 1789.

Additions to the Advertiſement of the 29*th July* 1789, *for* PROPOSALS *for the* PROVISION *of* OPIUM.

BENGAL AND BEHAR,

Addition to the 13*th Article.*

The advanced price or Khoſhkhereed paid to the Ryots of Boglepoor, Calgong and Monyheary in Bengal, on the ſurplus quantity delivered by them to be aboliſhed, and in lieu thereof an advanced price on the groſs produce to be granted to them as ſpecified in the table in the 15th article.

Addition to the 15th Article.

	Account particulars of the number of Sicca Rupees comprised in each Seer of opium including the Assul or original weight and the Abwab or cesses, and the price paid for the same by former Contractors.				Abwab or cesses abolished	*Account particulars of the number of Sicca Rupees to be comprised in each Seer as fixed for the contract proposed to be entered into with the price, to be paid for each Seer to the cultivators of the Poppy.*				
							Prices per Seer to be paid by the Contractor to the Ryots.			
	Number of Sa. Rs. comprised in the Assul or original established Seer in each district, Pergunnah, &c.	Cess of Mamool levied by former Contractors per Seer Sa. Rs.	Total Seer, Assul and Abwab.	Price per Seer, Assul and Abwab, paid by former Contractors.	Mamool per Seer Sa. Rs.	Remains original established Seer being the neat weight to be received by the Contractor.	Paid by former Contractors	Add per Seer in lieu of Khoshkhereed or advanced price on the surplus quantity now abolished.	Total price per Seer to be paid in future by the Contractor to the Ryots.	
In Behar, Monghir,	88	17	105	Sa. Rs. 2 5 0	17	88	2 5 0	0 2 0	Sa. Rs. 2 7 0	
In Bengal, Boglepoor & Calgong,	101	19	120	2 8 0	19	101	2 8 0	0 4 0	2 12 0	
Monyheary,	101	19	120	3 0 0	19	101	3 0 0	0 0 6	3 0 6	
Contawse in Rajemaul,	101	9 ½	110 ½	3 0 0	9 ½	101	3 0 0	0 0 6	3 0 0	
Nagoreah in ditto.	101	10	110	3 0 0	19	101	3 0 0	0 0 6	3 0 0	

	Rates, weights, &c. as taken by former Contractors.					
PURNEAH.	Rate of opium per Rupee.	Weight of the Seer in Sicca Weight.	Cefs of Mamool.	Ceffes abolifhed	Weight to be taken by the future Contractor Sicca Rupees.	Price to be paid by the future Contractor.
Gondwarrah Simria, including Pergunnahs Cudwah, Cuttear and Comarypoor; Bowfee, including Pergunnahs Havilly, Sultanpoor, Sircepoor, Futtehpoor Singiah and Goraree.	13 Chattacks per Rupee.	72 10 0			72 10 0	13 Chattacks per Rupee.
Beernagore and Bhowanny-poor.	15 Chattacks per Rupee.	72 10 0	1 Anna per Rupee on the advances, Gomaftah's Ruffoom.	1 Anna per Rupee on the advances, Gomaftah's Ruffoom.	72 10 0	14 Chattacks per Rupee.
Natpoor, including Dhupper and Hurrawut.	1 Seer and 1 Chattack per Rupee.	68 0 0	1 Anna per Rupee on the balances, Gomaftah's Ruffoom.	1 Anna per Rupee on the balances, Gomaftah's Ruffoom.	68 0 0	1 Seer and 1 Chattack per Rupee.

RUNGPOOR, &c.	Factory names in the feveral Pergunnahs.	Weight in Sicca Rupees eftablifhed. Seer.	Chel'aun.	Total Seer.	Price paid per Seer in Rungpoor currency.
Kankneah,	Lolmoney,	126	4	130	2 4
Ditto,	Poorumbarry,	126	4	130	2 4
Pangah,	Chandamarry,	124	4	128	2 5
Baharbund,	Durgapoor,	123	3	126	2 8
Beturound,	Dunhatta,	120	4	124	2 6
Coolichar,	Gidalda,	126	4	130	2 6

Addition to the 24th Article.

The Contractor to be fubject to the payment of the following fums annually, in Bengal and Behar, on account of the indulgencies to the head cultivators, charitable allowances &c. A lift of the particulars of which may be feen at the office of the Secretary to the Government:

In Behar.

Monghyr, - - - - - - - - - - - - - Rs.	477

In Bengal.

Boglepoor, - - - - - - - - - - - - - -	159
Monyheary, - - - - - - - - - - - - - -	6
Contawſe in Rajemal, - - - - - - - - - -	27
Nogoreah ditto, - - - - - - - - - - - -	83
	75[a]

ADVERTISEMENT *published on 21ſt August* 1789.

Alterations in the advertiſement, for propoſals of contract for the proviſion of the opium, publiſhed under date the 29th July 1789.

BENGAL AND BEHAR.

Alteration in the third article.

The advances to the Contractor for the Bengal opium for the firſt year of the contract, to be made as follows.

Aſſin, - -	8 Sixteenths,
Cautic, - -	4 ditto,
Aughun, - - -	2 ditto,
Pooſe, - - -	2 ditto,
	16.

Alteration in the fourth article.

The Contractor to engage to deliver annually, 1514 Maunds of Bengal opium, inſtead of 1580 Maunds.

BENARES.

Alteration in the third article.

The Contractor to engage to deliver annually, 500 cheſts in lieu of 700 cheſts.

RESOLUTIONS *of the* GOVERNOR GENERAL *in* COUNCIL *passed on the 14th September* 1789.

The ſtatement furniſhed by the deputy to the Accountant General, exhibiting beyond doubt, that the loweſt terms of contract for the proviſion of opium, the produce of Behar,

have been preſented by Mr. JAMES LINDSAY ROSS; the loweſt propaſals for opium, the produce of Bengal, by Meſſrs. COLLINS and SAUNDERS; and the loweſt for the produce of Benares by Mr. JOHN WILLIAMS; Agreed that they be ſeverally accepted, provided the ſecurities tendered ſhall, upon information ſent to them that their engagement will extend to the expected amount of the annual advances, declare their conſent to be reſponſible for the Contractors upon theſe terms.

ADVERTISEMENT *publiſhed on* 19*th February.* 1790.

A repreſentation having been laid before the Governor General in Council, by the opium Contractors, on the ſubject of the preſervation of their privileges: Notice is hereby given, that all Britiſh ſubjects who ſhall be detected in acting contrary to the Regulations of Government, limiting the proviſion and manufacture of opium to the public Contractors, ſhall, upon proof of the offence, forfeit the Honorable Company's protection and be ſent to Europe.

Any native, guilty of the ſame offence, ſhall, upon proof thereof being eſtabliſhed in any of the Courts of Dewannee Adaulat, be ſubject to a fine of three hundred and ſeventy-five Sicca Rupees per Maund, for every Maund of opium which he may be convicted of having illegally provided; one half of the above fine to be paid to the informer, and the other half to Government.

RESOLUTIONS *of the* GOVERNOR GENERAL *in* COUNCIL, 16*th April* 1790.

Reſolved, the Company's Attorney be informed that the clauſe in the opium contract, which renders the Contractor, and all perſons employed by him, amenable to the Courts of Dewannee Adaulut, in all matters of difference concerning the contract, and allows a right of appeal to the Sudder Dewannee Adaulut, is intended to be reſtrained to diſputes in the Moſuſſil only; and that the contract is to be worded accordingly. That he be furniſhed with a copy of the liſt of the allowances and indulgencies payable to the head Ryots and others, alluded to in the 11th article of the advertiſement of the 29th July laſt, and acquainted that the amount thereof is to be paid by the Contractor to the ſeveral perſons entitled to the ſame as heretofore. That the Board do not think it adviſable to make any alteration in the period allowed to the Contractors in the ſeventeenth article, for informing the Collector of any damage that may have happened to the crops in order that meaſures may be taken for aſcertaining the extent thereof.

REGULATION *approved on the 28th May 1790.*

EXTRACT *from the* PROCEEDINGS *of the* RESIDENT *at Benares, dated 18th May 1790.*

Read a letter from the Judge of the Moolky Adaulut, wherein, after reciting the three general caſes, in which according to the 15th article of the exiſting opium Regulations for Benares, the Kwyries are liable to be called to account for ſhort deliveries of the amount of opium, aſcertained by the Kunkoot or eſtimate of the crop, he ſtates the following farther diſtinctions and queries thereon.

Firſt. In caſe that no deficiency in the deliveries of the amount of the Kuot or eſtimate be proved, and that, on the contrary, the former be proved equal to the latter, whilſt the Ryot has at the ſame time ſold to other people. This circumſtance of the ſale of the additional quantity is liable to three diſtinctions.

1*ſt.* It may be the produce of this year, but beyond or above the eſtimate.

2*d.* It may be the produce of former years.

3*d.* It may be the produce not of the ſeller's cultivation but of his purchaſe from others in the way of trade.

The Judge requeſts inſtructions on theſe three points.

The Reſident taking into conſideration the above queries and finding that they are not ſpecifically provided for in the Regulation ſet up by Government under date the 16th of September 1789; He proceeds therefore to lay down the following Rules for the preſent guidance of the Court, ſubject of courſe to ſuch alteration or amendment as ſhall be therein made by the Governor General in Council.

1*ſt.* Where the quantity ſold to others, and above or beyond the eſtimates, is the produce of this year, that the ſeller be thereon, according to the ſecond clauſe of the 15th article of the Regulations aforeſaid, ſubject to a fine of four Sicca Rupees per Seer, for ſo much as he has thus ſold, with confiſcation of the ſaid opium where it can be found; and, where it cannot, by a fine of ten Sicca Rupees per Seer, as already directed: becauſe in all caſes it is the duty of the opium grower to deliver all his preſent year's produce, to the Contractor, for the prices fixed by Government.

2*d.* Where the quantity ſold to others ſhall have been produced in former years, the ſeller to pay a fine at the rate of Rupees 375 per Maund according to the advertiſement, publiſhed in the Calcutta Gazette, by order of the Governor General in Council under date the 19th of February 1790.

3*d.* The ſame rule to be applied in this caſe as in regard to the ſecond, above ſtated.

Resolution *of the* Governor General *in* Council, *2d June* 1790.

Ordered that the Company's attorney be informed, that it was the intention of Government, that the Contractor for the provision of opium in Behar and Bengal, should have the liberty of importing the produce of the dominions of the Nabob Vizeer upon paying the established duties; but that the Contractors for each province should be restrained from providing opium in the province allotted to the other Contractor.

Advertisement *published by order of the* Board *of* Revenue, *4th March* 1791.

By the twentieth article of the conditions of the existing contract for the provision of opium in Bengal and Behar, dated 29th July 1789, Ryots embezzling, or disposing of opium, are declared liable to a fine of four Sicca Rupees per Seer, in addition to a confiscation of the opium when it can be seized, and, when it cannot be seized, to a fine of ten Sicca Rupees per Seer, recoverable in the Dewannee Adauluts by the process laid down in the Judicial Regulations on the 19th February 1790. A further notification was published by order of the Governor General in Council, that all British subjects, detected in acting contrary to the Regulations of Government, limiting the provision and manufacture of opium to the public Contractors, shall, upon proof of the offence, forfeit the Honourable Company's protection and be sent to Europe: and that any native, guilty of the same offence, shall, upon proof thereof being established in any of the Courts of Dewannee Adaulut, be subject to a fine of 375 Sicca Rupees per Maund, for every Maund of opium, which he may be convicted of having illegally provided; one half to be paid to the informer, and the other half to Government.

The Governor General in Council, in consequence of a representation from the Contractors, has been now pleased to order a repetition of the above recited notification of 19th February 1790, and to direct it be at the same time declared, that all persons, not European British subjects, who may be proved to have purchased smuggled opium, or in whose possession smuggled opium may be found, shall be liable to the same fines, as are imposed on Ryots selling or embezzling opium, viz. four Sicca Rupees per Seer, in addition to a confiscation of the opium, when it can be seized; and, when it cannot be seized, ten Sicca Rupees per Seer, recoverable in the Dewannee Adauluts by the process laid down in the Judicial Regulations. Such fines, as well as the neat proceeds of the opium confiscated, to be paid, half to the informer, and half to Government; also, that all Zemindars, Talookdars, or other landholders (when not themselves the pur-

chaſers or poſſeſſors of the opium, in which caſe they will be ſubject to the fines above-mentioned) ſhall be liable to the like penalty of ten Sicca Rupees per Seer, recoverable and payable as aforeſaid, for all ſmuggled opium which may be proved to have been ſold within the limits of their lands with their connivance or knowledge.

REGULATION *recorded on the 8th July 1791.*

The Governor General has been pleaſed to direct, under date the 8th inſtant, that all opium, ſeized as ſmuggled and therefore liable to confiſcation, be delivered, immediately after the ſeizure, to the Judge of the Dewannee Adaulut of the diſtrict wherein ſuch ſeizure may be made, who, on receipt of the opium, will iſſue a publication requiring all perſons who may have claims thereto, to prefer the ſame, and notifying that if no claimant appear within one month it will be confiſcated. The ſeveral Judges of the Dewannee Adaulut have further been inſtructed to inveſtigate, and decide on the rights of any claimants who may appear within the period limited, and, in the event of their deciding againſt ſuch claimants, or of no perſon appearing to claim the opium ſeized, to ſend it to the Preparer of Reports to be ſold at the Khalſah.

REGULATIONS FOR THE CUSTOMS.

EXTRACTS *of* CONSULTATIONS *of 16th February* 1773.

Agreed, that Duſtucks be no longer granted to any perſon after the firſt of Byſack enſuing; but that in lieu thereof certificates be given to ſuch of the civil ſervants as have hitherto been entitled to this indulgence, upon their paying the eſtabliſhed duties of two and half per cent, and upon their ſolemn declaration that the goods are their own property, of which a regiſter is to be tranſmitted to the Court of Directors agreeable to their orders and for their further determination.

NOTIFICATION.

This is to give notice, that the Honorable Court of Directors, from a conviction that the moſt effectual means to reſtore and invigorate the trade of Bengal will be the opening every proper channel for its extenſion and giving it that general freedom which is ſo neceſſary to encourage the induſtry and attract the attention of the natives, will no longer permit their ſervants of any rank or ſtation whatever to enjoy the excluſive privilege of Duſtucks.

In conformity to theſe orders, the Honorable the Preſident and Council of Revenue at Fort William do now give notice, that, after the firſt day of Byſack or twelfth day of

April next, no Duſtucks, Ruwannas, Perwannas, orders or immunities will be granted to any perſon whatever; but that an equal rate of duties will be eſtabliſhed for all goods or merchandize belonging to the Company's ſervants, foreigners or natives, without any diſtinction whatever. The Regulation for which will hereafter be made public.

LETTER *from the* COMMITTEE *of* CIRCUIT *to the* COUNCIL *at* FORT WILLIAM.

In obedience to the orders of the Court of Directors, and in conformity to your inſtructions, we have ordered the total ſuppreſſion of all Zemindarry Ghauts within the limits of the reſpective diſtricts committed to our inſpection, and the abolition of all the duties hitherto collected at them; and we have thought fit to communicate this immediately to you, that being appriſed of the ſteps taken in our diſtricts, you may be enabled to conform in meaſures with reſpect to thoſe reſerved to your own controul in this province, as well as the whole of Behar, as far as you ſhall judge proper and neceſſary.

ADVERTISEMENT, 19*th February* 1773.

Repreſentations having been made that many perſons have refuſed to abide by the former uſages of the Cuſtom-houſe at Calcutta, it is hereby ordered, that no grain ſhall be landed within the limits of the city of Calcutta but by a permit from the Cuſtom Maſter ſpecifying the quantity, and that no grain ſhall be ſold but in the preſence of the Kyalls or officers of the Cuſtom-houſe, who ſhall be authorized to receive their eſtabliſhed Kyallee Duſtoor agreeably to the ancient and immemorial uſage of this ſettlement and the province in general.

It is likewiſe ordered, that, after the firſt day of Byſack or 12th of April next, all liquors, proviſions and other neceſſaries of life imported (grain excepted) ſhall pay the duties in like manner with other merchandize as has been heretofore cuſtomary at this Preſidency.

EXTRACT *of* CONSULTATIONS, 19*th February* 1773.

Agreed, that ſuch ſalt, as is dried in the ſun and called bay ſalt, ſhall be conſidered as foreign merchandize and pay duty accordingly; and that all ſalt boiled in pans ſhall be

ſubject to the eſtabliſhed inland duty of thirty per cent, although imported from Ballaſore and parts adjoining.

RESOLUTIONS *for the future Establiſhment and Regulation of the Duties of the* COUNTRY GOVERNMENT, *recorded on the 23d March* 1773.

1ſt. That all duties, tolls, fees, or ground rents, collected at the Gunges, ſhall be collected as uſual until the Board ſhall eſtabliſh ſuch new Regulations regarding them as they may think neceſſary: but all road duties, whether by land or water, or the importation of the grain at the Gunges, ſhall entirely be prohibited; and, to render this prohibition the more effectual, that all the inferior Chokies belonging to Gunges known by the denomination of Pnanrehs, and at which road duties have hitherto been collected, ſhall be aboliſhed; and the practice, which has too frequently prevailed of obliging merchants to bring their goods to particular Gunges or markets, is hereby ſtrictly forbid under the ſevereſt penalties, ſo that every merchant ſhall be at liberty to carry his merchandize wherever he thinks proper for ſale.

2d. That every other article of foreign or inland trade, excepting ſalt, Betlenut and tobacco, ſhall pay a duty to Government of two and half per cent diſtinct from the Company's duty paid in Calcutta and without exception to any ſect or nation whatever.

3d. That the duty on ſalt and Betlenut ſhall continue on the preſent eſtabliſhed footing; and the duty on tobacco as it ſhall be hereafter regulated by the Board on the report of the Board of Cuſtoms.

4th. That an appraiſement of every ſort of merchandize, formed from the current prices at the different Cuſtom-houſes for the purpoſe of regulating the charge of duties, ſhall be inſpected and paſſed by this Board every twelve months, and fixed at every Cuſtom-houſe for public inſpection.

5th. That a Board of Cuſtoms be eſtabliſhed, conſiſting of a Member of the Council and the four ſenior ſervants at the Preſidency excepting the two Secretaries and Sub-Accomptant, to inſpect, regulate and controul the whole buſineſs of the Cuſtoms.

6th. That five Cuſtom-houſes be eſtabliſhed and ſtationed at Calcutta, Houghly, Moorſhedabad, Dacca, and Patna, under the controul of the above Board.

7th. That excluſive of theſe Cuſtom-houſes there ſhall be Chokies erected to collect the duty on goods exported to the weſtward through the paſſes of the hills bounding Midnapoor, Biſſenpoor, Pacheat, and Bheerbhoom, and another for collecting the duty on the goods exported to the northward by the Sonaſſy merchants who trade from Malda

to the upper parts of Hindooſtan. The ſtations at which theſe Chokies ſhall be fixed, and the controul they are to be under, to be regulated by the Board of Cuſtoms.

8*th*. That the eſtabliſhment of each Cuſtom-houſe ſhall be a Collector; a public Dewan or Darogha; a Muſhruf or accomptant; a Tavildar or caſh-keeper: a Muhahim or appraiſer; and ſuch other officers and ſervants as ſhall be hereafter eſtabliſhed on the report of the Board of Cuſtoms.

9*th*. That the Collector of the Cuſtoms ſhall ſign each paſſport which ſhall be denominated a Rowanna, and alſo fix thereon the Company's ſeal in their capacity of Dewan of the provinces; and that ſeals ſhall likewiſe be given to the Darogha, Muſhruf and Tavildar, who are to affix the ſame to the Rowanna which otherwiſe will not be deemed complete and authentic.

10*th*. That the Cuſtom-houſes ſhall be open every day except Sundays for granting Rowannas and for the diſpatch of buſineſs, from the hour of nine in the morning until noon; and that every Rowanna ſhall be granted, ſealed and iſſued on the morning following the application made, and the Cuſtom Maſter to be accountable for the conduct of the officers employed under him in conformity to this Regulation. Having declared this Regulation, ſhould the merchants ſuffer any needleſs or vexatious delays in obtaining Rowannas which may prove of material detriment to their property and the currency of their trade, the ſame will incur the ſevereſt notice of the Board.

11*th*. That a Rowanna paſſed at any one of the Cuſtom-houſes ſhall be current throughout the provinces: that it ſhall be produced and ſhown at each Cuſtom-houſe and at every other authorized ſtation; and, being there indorſed by the Collector, the goods ſhall paſs without interruption or further examination than that of ſatisfying the Collector that the number of boats in the fleet correſponds with the number ſpecified in the Rowanna.

And it is directed, that a liſt of the indorſements made at the Cuſtom-houſes where fleets have paſſed, with the neceſſary explanation, be ſent every month to the Board of Cuſtoms at Calcutta.

12*th*. All Europeans, who go up with fleets of boats, are previouſly to obtain a licenſe from the Board of Cuſtoms at Calcutta, ſpecifying the length of time they are to be abſent, and that they have entered into joint ſecurity bonds with the perſons whoſe merchandize they conduct to return within that ſpace and on no account whatever to attempt to fix a reſidence in the out diſtricts.

13*th*. That to prevent the moleſtation to which the natives might probably be ſubjected by inſerting the name of the merchant in the Rowanna, which, by diſtinguiſhing the proprietor of the merchandize, will point out to the officers of the cuſtoms the degree

of influence which will oppoſe the exactions or be exerted for the puniſhment of them when committed, it is directed, that the name of the merchant ſhall not be ſpecified in the Rowanna; but, in order to facilitate all neceſſary references in regard to the cuſtoms, not only the name of the merchant, but the number of the Rowanna, ſhall be regularly noticed in the public regiſter at each Cuſtom-houſe for the further prevention of the like diſtinction, it be alſo made a ſtanding order that all boats belonging to perſons trading under the Engliſh protection, whether Europeans or natives, be allowed and directed to carry the Engliſh flag.

14*th*. That a regiſter be alſo kept at each Cuſtom-houſe in Engliſh, Bengal and Perſian, of which copies are to be tranſmitted every month to the Controllers at the Preſidency, in form as here directed.

Names of the Merchants	Sorts of Merchandize	Whence Imported	When Entered.	Valuation.	Amount of Duty.	When Cleared.	Number of the Rowanna.

15*th*. That the duty being fixed at ſo moderate a rate, and the mode of levying it rendered ſo eaſy to the merchant, all attempts to ſmuggle goods and defraud the cuſtoms will ſubject them to confiſcation which is hereby declared to be the proper and legal penalty for ſuch offences; which, however, ſhall not be carried into execution until the caſe has been ſubmitted for a final deciſion to the Controllers of the Cuſtoms at the Preſidency.

16*th*. That the Company's Cuſtom-houſe and the Government Cuſtom-houſe be conſidered as diſtinct departments, and the produce of their reſpective duties brought to account ſeparately; but the management of both ſhall be put under the immediate charge of the Board of Cuſtoms at the Preſidency.

17*th*. That the goods purchaſed at the Company's outeries ſhall not be exempted from the Government duty, which is done for the ſake of uniformity, and becauſe it cannot be a matter of any conſequence to the purchaſers who will regulate their offers for the goods by the charges to which they ſtand ſubject: on the ſame principle, and to prevent any undue and fraudulent advantages which might be taken of an exemption in this reſpect, that the Company's Europe inveſtment ſhall alſo be liable to the ſame duties as other merchandize.

EXTRACT *of* CONSULTATIONS, 1*st June* 1773.

Reſolved that the number of Maunds, bales, cheſts, or other packages of the goods ſhall always be ſpecified in the Rowanna; that the number of boats ſhall alſo be ſpecified therein when it can be aſcertained at the time of taking out the Rowanna; that when the number cannot be aſcertained on account of their loading at a diſtance from a Cuſtom-houſe or otherwiſe, the proprietor of the cargo ſhall indorſe the number of boats on the

back of the Rowanna when the fleet has been loaded; that, if in the courſe of the paſſage there is a neceſſity for ſhifting any part of the cargo, from a ſmaller to a greater number of boats, the perſon in charge of the fleet, ſhall make report thereof at the next Cuſtom-houſe, he paſſes; and the Collector, having inquired into the truth of the circumſtance ſhall certify the alteration in the number of boats on the back of the Rowanna: this inquiry he is to make by the examination of the evidences or ſuch other proceſs of proof as he can obtain and ſhall ſeem moſt ſatisfactory, obſerving however at all times that he is not to occaſion any unneceſſary detention of the fleet or to unload the cargoes of the boats.

EXTRACT *of* CONSULTATIONS, *4th January* 1774.

The Board having already directed that the Bucſhbundee of Houghly ſhould for the preſent be delivered over by Mr. HOSEA upon his quitting his Collectorſhip to the charge of the Phouzdar, and now taking into conſideration the orders of the Honorable Company for continuing a Phouzdar at Houghly for tranſacting the buſineſs on the part of Government with foreign nations, and the Chokey at Houghly being only neceſſary for collecting the duties on goods belonging to them.

Reſolved that this charge do remain in the hands of the Phouzdar, but that he only grant Rowannas for goods belonging to foreign nations and thoſe of the merchants reſiding under their protection and of the merchants who are actual inhabitants of the town of Houghly.

Agreed that a copy of this reſolution be tranſmitted to the Board of Cuſtoms for their information and guidance.

RESOLUTION *passed on 1st March* 1774.

That no duties of any denomination ſhall be levied at the Gunges excepting on goods which are actually there ſold. Goods, paſſing through the Gunges for ſale at other Gunges, are to be liable to no demand or hindrance whatſoever; or, if the merchant ſhould, after his goods have been landed at any Gunge, determine ſtill to carry them to another market, he ſhall have a right ſo to do without paying any duty, as he will be ſubject to the eſtabliſhed duty at the place of ſale.

EXTRACT *of a* LETTER *from the* GOVERNOR *and* COUNCIL *to the* BOARD *of* CUSTOMS, *dated 12th April* 1774.

Having reſolved that the duty on grain ſhipped outwards from Calcutta ſhall be always ſuſpended when the price of common cargo rice is not dearer than twenty-five Seers

per Rupee, and that the eſtabliſhed duty of two and half per cent at the Government's Cuſtom Houſes ſhall be collected upon grain as upon other merchandize: we deſire you will cauſe proper notice to be given and iſſue the neceſſary orders to the Collectors of the Cuſtoms. We mean, that the levying of the two and half per cent ſhall commence from the 1ſt of Jayt or of next month; the Collector at Moorſhedabad muſt in conſequence levy five per cent upon grain imported into that city; viz. two and half as at preſent in lieu of the Gunge duties, and two and half in lieu of the Rahdarry; and, in caſe of its being exported, the Collector ſhould ſpecify in the Rowannas that both the Rahdarry and Gunge duties have been paid.

This mode muſt alſo be obſerved in future by the Collector of the Cuſtoms at Patna.

EXTRACT *of* CONSULTATIONS, *14th April* 1775.

Reſolved, that the Collector of the Government's Cuſtoms be directed to levy the duty, both on the import and export cargoes, in all foreign ſhips importing at Calcutta, at two and half per cent on their prime coſt; and that this be obſerved hereafter as an invariable rule: but that no retroſpection be made of goods which have already paid a duty in another mode or which have been allowed to land without payment of any duties.

EXTRACT *of* CONSULTATIONS, *23d June* 1775.

Reſoved, that it be made an invariable rule, that all coſifications regularly made by either of the Cuſtom Maſters be confirmed by the Board if referred to them, without any reſpect to perſons or peculiarity of circumſtances.

EXTRACT *of* CONSULTATIONS, *22d September* 1775.

Ordered that freſh publication be made, that, for the future, any goods attempted to be paſſed without Rowannas, although Rowannas may have been taken out for them, ſhall be ſeized and confiſcated, unleſs the proprietors or conductors of the goods ſhall have given notice to the Collector of the Government's Cuſtoms and to the Company's Cuſtom Maſter, that ſuch goods are on the way, for the purpoſe of aſſuring to Government the Cuſtoms which may be due upon them.

PLAN *for the future* MANAGEMENT *of the* CUSTOMS *of the Provinces, 23d April* 1781.

The Board, deeming it neceſſary to regulate the collection of the cuſtoms of the

Provinces, by the principles of the late inſtitution of the Committee of Revenue, do agree to paſs the following reſolutions to that effect.

1ſt. That the office of the Collector of the Government Cuſtoms, and all the offices dependant on him, be aboliſhed from the firſt of May; and that the Collector and deputy Collectors be ordered to make up their accounts to that period, and to deliver over the charge of their reſpective offices, to ſuch perſons as ſhall be appointed to receive them.

2d. That the buſineſs of this department be put under the charge of three covenanted ſervants of the Company, who ſhall be called Commiſſioners, and who ſhall have the charge of all the duties and cuſtoms of the Provinces.

3d. That the Cuſtom Maſter of the town of Calcutta be made ſubordinate to the Commiſſioners, and ſubject to ſuch regulations and reſtrictions, as the Commiſſioners ſhall form for the guidance of that officer, with the approbation of the Governor General and Council of Revenue.

4th. That the Commiſſioners be allowed a commiſſion of ten per cent on the net amount of their monthly collections: that is to ſay, on the ſum realized into the Khalſa Treaſury, to be divided equally between them.

5th. That they ſhall aſſemble as often as they find the buſineſs require their meeting, which ſhall be held at the houſe of the firſt Commiſſioner, where the office ſhall be kept; and keep regular books of their proceedings, which ſhall be laid before the Board of Revenue on the 15th day of every month.

6th. As it will be neceſſary that there be Collectors either at the preſent eſtabliſhed ſtations, or at others, it ſhall be left to the Commiſſioners to recommend the ſtations, to which ſuch Collectors ſhall be appointed, and to propoſe the eſtabliſhment, for each; conforming in the allowances recommended for the Collectors, as near as they can, to the principles on which the emoluments of the Commiſſioners themſelves have been framed; that is to ſay, by making them ariſe either out of a commiſſion, or fees, or both.

7th. That it ſhall be left to the Commiſſioners to form and recommend ſuch other regulations and eſtabliſhments as ſhall be deemed neceſſary for conducting the buſineſs of their department, and rendering it effectual, both for the increaſe of the collections, and for the relief of the merchants and Ryots.

8th. The Commiſſioners, before they receive charge of their offices, ſhall take and ſubſcribe the following oath in the preſence of the Governor General and Council.

I, A. B. do ſwear, that I will faithfully diſcharge the office of a Commiſſioner of the Cuſtoms, that I will not receive directly or indirectly, any preſent or gratuity, of

any kind whatever, for my intereſt in the office which I hold, neither will I acquire or receive lucrative advantages by my office, but ſuch as ſhall be publickly allowed me by the Governor General and Council. So help me God.

PLAN *approved on the* 10*th May* 1781.

As the Board have referred it to the Commiſſioners of the Cuſtoms to frame and recommend ſuch Regulations as ſhall be neceſſary for the detail and internal management of the buſineſs of their office, the Board think it proper to recommend the following for their reviſal and conſideration.

That the Collector of the Government Cuſtoms for the town of Calcutta, and the Collector of the Cuſtoms for the port of Calcutta, commonly called the Cuſtom Maſter of the town of Calcutta, ſhall, each of them, daily report to the Commiſſioners, the names of all the ſhips, veſſels or boats, of every denomination, that ſhall arrive or depart from hence, ſpecifying particularly, and by diſtinct names, the contents of the cargo of each ſhip, ſo arriving, or leaving the port of Calcutta. That it ſhall likewiſe be the buſineſs of each of the above Collectors, in his diſtinct department, to aſcertain the amount of the Cuſtoms upon each reſpective cargo, reporting the ſame to the Commiſſioners, under their proper heads, for their confirmation.

That the amount of the duties, thus aſcertained and confirmed, ſhall be received by each Collector, and paid to the Commiſſioners, who ſhall diſcharge the ſame by monthly payments into the public Treaſury.

That the Cuſtom houſes, eſtabliſhed in different parts of the country, and ſuch others as it ſhall be found neceſſary to eſtabliſh, be governed by ſuch Regulations as ſhall hereafter be formed by the Commiſſioners, the Collectors reporting their proceedings to them, and remitting monthly to them the amount of their collections.

That the Collectors do hold their offices but for one year.

That each Collector be allowed an Aſſiſtant, with a ſalary of three hundred Rupees per month.

That the goods, manufactured under the orders of the Board of Trade, ſhall in future, when brought down to Calcutta, be ſubject to the payment of ſuch duties as are or ſhall hereafter be eſtabliſhed upon the inland commerce of this country, and conſequently muſt fall under the Regulations of this Board.

But as it is not the intention of this Government to load the Company's exports with any new or additional charge, but ſolely to prevent an evil which is ſuppoſed, at preſent, to exiſt, from the practice of individuals covering their property, under the ap-

pearance of the Company's inveſtment, and by that means avoiding thoſe cuſtoms, which others are obliged to pay, it is deſigned that the whole amount of cuſtoms levied upon ſuch goods as are manufactured by the Board of Trade, ſhall be repaid to them, upon the ſame being exported in any of the Company's ſhips to Europe.

And as this cannot be effected, unleſs the quantities and amount of goods brought to Calcutta for the Company's uſe, and of goods exported to Europe, are regularly and minutely aſcertained, that an Accountant be appointed to act under the orders of the Commiſſioners, who ſhall not only be entruſted with the charge of keeping and ſuperintending the general accounts of the public receipts and diſburſements, but, likewiſe, the account of goods, which it will become neceſſary to keep againſt that of the Board of Trade, for the purpoſe of aſcertaining the quantities brought by them into Calcutta and exported to Europe; which account ſhall be kept, by crediting the Board of Trade, under each reſpective head, for the cuſtoms ariſing upon the goods brought to Calcutta, and debiting them for the amount of their actual exports.

That the Commiſſioners of the Cuſtoms ſhall report their proceedings, monthly, to the Governor General and Council, in their Revenue Department, together with a ſummary of the ſame, ſpecifying the names of all the ſhips, veſſels or boats, of every denomination, which ſhall have arrived or departed from Calcutta in the courſe of that month, and an account of their cargoes, together with the amount of the cuſtoms ariſing thereupon, and of the draw-backs, which ſhall have been allowed on account of exports to Europe or elſewhere.

That ſuch parts of the proceedings of the inland Cuſtom Maſters, as ſhall have been received, ſhall likewiſe be included in their monthly reports to the Governor General and Council.

That theſe ſhall be accompanied by an account of their monthly receipts and diſburſements and of the amount of their actual payments into the public Treaſury, and a ſeparate account of goods which have paſſed their reſpective ſtations, and which have paid no duties, the ſame having been before levied at the Cuſtom-houſes from which they received their firſt clearance.

That the Company's import goods ſhall remain exempt from the payment of duties, and ſhall be paſſed on ſuch certificates produced as the Board of Trade ſhall direct, and for the mutual ſatisfaction of the Governor General and Council and of the Board of Trade, a ſtatement of the Company's imports ſhall be lodged in the hands of the Commiſſioners as a check on the amount of ſuch certificates.

That to accommodate the commiſſion originally deſigned for the Commiſſioners to the preceding alterations, the former commiſſion of ten per cent on the net collections ſhall

be revoked, and that a new commiſſion of ten per cent ſhall be drawn on the net amount of the monthly receipts, including thoſe levied on the Company's inveſtment, and the amount thereof being divided into ſeven parts, two parts ſhall be taken by each of the Commiſſioners and one part by the Secretary and Accountant.

That the Accountant ſhall alſo perform the duty of the Secretary and be aſſiſted by a Sub-Secretary or Sub-Accountant.

That the Sub-Secretary ſhall receive a ſalary of 500 Rupees per month as Sub-Secretary, and the like ſum for the office of Sub-Accountant.

For greater convenience and diſpatch, it ſhall be allowable for the Commiſſioners to appoint one of their body occaſionally to ſit with the authority of the whole, for the tranſaction of current buſineſs.

REGULATIONS *for the guidance of the* COMPANY'S CUSTOM MASTER *at* CALCUTTA, *approved on the 25th May* 1781.

1ſt. That the buſineſs of this department be put under the charge of three covenanted ſervants of the Company who ſhall be called Commiſſioners and ſhall have the charge of all the duties and cuſtoms of the Provinces.

2d. That for the greater conveniency and diſpatch of buſineſs it ſhall be allowable for the Commiſſioners to appoint one of their body to ſit occaſionally with the authority of the whole for the tranſaction of current buſineſs.

3d. That the Company's Cuſtom Maſter do daily report to the Commiſſioners all ſhips, veſſels or boats that ſhall arrive.

4th. There being too much reaſon to believe that merchants, applying for Rowannas in the Moſuſſal give in the names of goods of an inferior quality to thoſe which they entered to tranſport, the Cuſtom Maſter is hereby authorized either on ſuſpicion or information to order one bale to be opened in his preſence, in the Cuſtom-houſe Godowns; and, if any ſuch fraud is diſcovered, he ſhall report the ſame to the Commiſſioners, who, on the fact being proved, ſhall confiſcate without reſerve.

5th. That no perſon or aſſociation ſhall in future be exempted from the payment of duties.

6. That when goods are ſtopt for the purpoſe of confiſcation, the Cuſtom Maſter ſhall ſubmit the caſe to the Commiſſioners for their final deciſion.

7th. That the Cuſtom Maſter do not in future refund half the duties on certificates from the other Preſidencies.

8th That the Cuſtom Maſter ſhall not ſuffer to paſs duty free, any parcels, boxes or goods, whatever, under the head of preſents, or neceſſaries for private uſe, without an order from one of the Commiſſioners.

9th. That the rate of duty to be collected at the Company's Cuſtom-houſe be; viz:

Four per cent on the Calcutta price of all foreign imports, or goods from ſea, without any deduction.

Four per cent on the Aurung price of all gruff inland imports, or goods from the Aurungs, without any deduction.

Two per cent on all inland imports, or goods from the Aurungs, of piece goods, raw ſilk, cotton yarn, without any deduction.

10th. The Cuſtom-houſe to be open for the tranſaction of buſineſs every day (Sundays excepted) from nine o'clock in the morning till two in the afternoon. The Cuſtom Maſter to be anſwerable for the conduct of his ſervants.

11th. The Cuſtom Maſter muſt tranſmit to the Commiſſioners, in duplicate, before the 15th of every month, copies of his foreign and inland books and his caſh account.

12th. That the Cuſtom Maſter do in future pay the neat collections of his office to the Commiſſioners.

13th. All goods importing at Calcutta without Rowannahs, to pay double duty.

14th. The Cuſtom Maſter is to collect duty on the full quantity of goods mentioned in the Rowannahs.

15th. That the Cuſtom Maſter be anſwerable for any balance of caſh that may remain at the end of the year.

16th. That the Cuſtom Maſter do levy duty on all imports at the time when the goods are landed; and, ſhould any perſon refuſe payment, he is to ſecure and depoſit ſuch part of the goods as ſhall be deemed equivalent to the duty; and ſhould the goods detained not be redeemed before the expiration of one month, he muſt report the caſe to the Commiſſioners.

17th. No part of the cargo of any ſhip or veſſel ſhall be landed until the commander or owner of her delivers to the Cuſtom Maſter a manifeſt of the cargo, a copy of which he muſt immediately tranſmit to the Commiſſioners; and he is not to receive the duties until the Commiſſioners approve of his adjuſtment.

18th. Goods that have paſſed the Cuſtom-houſe without being ſtampt ſhall not be entitled to the Company's Chop, without firſt paying duty.

19th. That the Cuſtom Maſter ſhall take and ſubſcribe to the following oath in the

preſence of ſuch perſon or perſons as ſhall be authorized by commiſſion to adminiſter the ſame.

I, A. B. do ſolemnly ſwear that I will faithfully diſcharge the duty of a Collector of the Government Cuſtoms, and that I will not directly or indirectly by myſelf or others be concerned in any collections, but ſuch as are brought to the credit of Government, nor accept of any gratuity, fee, or advantage whatſoever in my office of Collector of the Government Cuſtoms except ſuch as are now, or ſhall have been hereafter allowed by the Commiſſioners of Cuſtoms in their public orders. So help me God.

20*th*. The Cuſtom Maſter ſhall not be allowed to employ any Europeans in the buſineſs of his office, except covenanted ſervants, nor is he to delegate the controul of his department to any other perſons whatſoever.

The examiner and the tide-waiters are to be excepted from this Regulation.

EXTRACT *from the proceedings of the* GOVERNOR GENERAL *and* COUNCIL *in the* SECRET DEPARTMENT *of* INSPECTION, 11*th* *March* 1785.

The Board taking into conſideration the orders neceſſary to be iſſued on the late reform in the Department of the Cuſtoms, as effected in conſequence of their reſolutions of the 20th December and 27th January.

Agreed that, in order to ſimpliſy and concentrate the buſineſs of the Calcutta Cuſtoms as much as poſſible, and to remedy the delays and interruptions to which the merchants as well as the inhabitants in general are at preſent ſubjected by the want of a more immediate and commodious official communication between the detail of the two Cuſtom-houſes, the Government Cuſtom-houſe be removed to the Old Fort, where the Preſident of the Department of Cuſtoms is directed to make ſuch an arrangement of office as he may deem beſt calculated for facilitating the intercourſe between both.

Agreed that, for the more effectual accompliſhment of the end propoſed, and for the ſake of inſtant reference and deciſion, in the daily current tranſactions, as well as for the ſpeedy detection and removal of various evils and needleſs procraſtinating forms, which the Governor General and Council have reaſon to believe flow in a great meaſure from the preſent looſe and disjoined mode of executing the buſineſs, the houſe at preſent occupied by the Cuſtom Maſter in the Old Fort be allotted to the Preſident for his office and record.

Ordered that the Preſident do carefully reviſe all the Regulations, and that he do propoſe ſuch amendments and additions, as in his judgment ſhall be neceſſary and expedient

for the better management of the buſineſs of the cuſtoms throughout the provinces, in a manner the moſt ſimple and eaſy to the fair trader, and at the ſame time moſt beneficial to Government, and from the whole frame one general and uniform code of Rules, Orders and Regulations, for the alteration or approval of the Governor General and Council; that he do deviſe and ſuggeſt to the Board ſuch forms, reſtrictions, and modifications, as to him may appear beſt calculated for obviating the preſent ſource of diſputes and embarraſſments with the foreign ſettlements, taking care to accommodate ſuch Regulations as nearly as poſſible to the principle and ſpirit of ancient uſage, equality with merchants trading under the Britiſh flag, and the privileges hitherto enjoyed by the foreign Companies, which privileges, it is the intention of the Board, ſhall now be extended to the reſpective Companies and individuals indiſcriminately.

The Board, underſtanding that the book of rates at preſent in uſe is defective in a great variety of inſtances, owing to the alterations that have taken place in the price of articles of internal commerce ſince its formation, recommend it to the Preſident, after he has obtained from the different Aurungs and Cuſtom-houſe ſtations the moſt accurate information and materials he poſſibly can for his guidance, to reviſe and correct it thereby with the utmoſt caution and exactneſs, and to ſubmit the general table of appraiſement, thus methodically digeſted and aſcertained, to the Board for their ultimate confirmation, with as little delay, as the nature and difficulty of ſo delicate, comprehenſive, and laborious a work will admit.

Ordered, that a book of rates and general Regulations, when completed and approved, and alſo the table of duties and fees, be printed and tranſlated into the Perſian and Bengal languages, for the purpoſe of being expoſed at the reſpective Cuſtom-houſes for public inſpection and information.

Ordered, that the Preſident do propoſe ſuch a reduction in the ſeveral eſtabliſhments of the offices, ſtations, and Choukeys, dependant upon him, as ſhall appear conſiſtent with the ſecurity neceſſary, to guard the collections from fraud and impoſition, and anſwerable in every reſpect to the purpoſes of the inſtitution.

Reſolved, that the Preſident be allowed the following eſtabliſhment of ſervants for his office.

4 Monthly Writers,	600
1 Caſh-keeper for himſelf and ſervants,	150
1 Perſian Moonſhy,	50
1 Bengal ditto,	30
1 Dufterry,	5
1 Jamadar,	12
6 Harcarrahs,	36
6 Peons,	30

1 Durwan,	4
1 Matrany,	4
Contingent charges,	100

It was reſolved, on the reform of the Department of Cuſtoms, that the Preſident ſhould have two Aſſiſtants.

Agreed, that the firſt Aſſiſtant perform the duties of Secretary and Accountant.

ADVERTISEMENT, *dated 11th April 1785.*

The Maſter Attendant, having repreſented to the Honorable the Governor General and Council, that ſhips returning to Bengal in ballaſt, make it a common cuſtom to throw their ballaſt over board into the river, to the very great prejudice of the navigation:—Notice is hereby given, that the Honourable the Governor General and Council are determined to proſecute, with the utmoſt rigour, all perſons who ſhall be detected in theſe practices.

REGULATIONS *for the* CUSTOMS, *recorded 3d January 1787.*

Whereas it has been the ancient and eſtabliſhed rule and practice of this Government, that all goods imported into Calcutta, whether by boat or otherwiſe, without a permit from the Cuſtom-houſe, ſo as to have the ſame regularly entered there, and the eſtabliſhed duties paid, ſhall, if ſeized in the attempt, be confiſcated to the profit of Government, as well as all goods ſeized in the attempt of being ſhipped on any veſſel in the river, without having been firſt landed in the town of Calcutta, and the Company's duties paid thereon; which rule has been publicly notified from time to time, and particularly by an advertiſement iſſued by order of the Preſident and Council, of the 10th day of October 1772.

And whereas it has recently appeared, in the inſtance of an Engliſh veſſel, which proceeded to one of the foreign ſettlements on the river Hoogly, to take in her cargo, that this Regulation has been greatly diſregarded; public notice is hereby given to all perſons, that all goods or merchandize, which, contrary to the ſaid rule, ſhall be laden, or attempted to be laden, on board any ſhip or veſſel, lying oppoſite to the town of Calcutta, without having paid the Calcutta duties, or which ſhall be laden, or attempted to be laden, either above or below the ſaid town of Calcutta, for the purpoſe of evading the Calcutta duties, will, upon detection, be ſeized and confiſcated; and notice is hereby further given, that any perſon or perſons, who ſhall give information of ſuch contraband tranſactions, ſhall, upon the ſeizure and confiſcation of any ſuch goods or merchandize, be entitled to the half of the net produce of the ſame, after deducting all ſuch charges and expences, as ſhall attend the ſeizure and ſale thereof.

RESOLUTIONS *of the* GOVERNOR GENERAL *in* COUNCIL, 23*d May*, 1788.

The Governor General in Council, having received various repreſentations from the merchants, ſetting forth the heavy loſſes they frequently ſuſtain, from the detention and over valuation of their goods, at the Government Cuſtom-houſes in the Company's provinces, and at the Cuſtom-houſes in the Zemindarry of Benares, his Lordſhip in Council, with a view to remove the cauſe of theſe complaints, and to promote the proſperity of the inland trade in general, but more particularly of that carried on between the Provinces of Bengal and Behar, and the Zemindarry of Benares, has thought proper to eſtabliſh the following Regulations, for the collection of the cuſtoms, in the countries above mentioned.

Firſt. That Rowannas be taken out at the Cuſtom-houſes in the Zemindarry of Benares, for all goods exported to, or imported from, that country, and which the officers of the Rajah have been directed to grant in the ſame form as thoſe at preſent iſſued at the Government Cuſtom-houſes in the Company's Provinces.

Second. That Rowannas taken out at any of the Government Cuſtom-houſes in the Company's Provinces, for goods to be exported to the Zemindarry of Benares, ſhall be current in the latter for the price of ſuch goods; and Rowannas taken out in the diſtrict of Benares, for goods to be exported to the Company's Provinces, ſhall be entitled to the ſame privilege in the latter.

Third. That merchants, importing goods from the Zemindarry of Benares, into the Company's Provinces, ſhall exhibit the Rowannas, taken out in the former, to the officers of the Government Cuſtoms, ſtationed in the latter, who will collect the eſtabliſhed Government import duties on the valuation ſpecified in the ſame, and grant the cuſtomary Rowannas, for covering ſuch goods, to any part of the Company's Provinces. In like manner, all merchants exporting goods from the Company's Provinces to the Zemindarry of Benares, ſhall exhibit the Rowanna, taken out in the former, to the officers of the cuſtoms in the latter, who will collect the eſtabliſhed duties on the valuation ſpecified in the ſame, and grant a Rowanna, under the ſeal of the Rajah of Benares &c. for covering ſuch goods to any part of his territories.

Fourth. That all exiſting rules and orders, for the collection of the cuſtoms in the Company's Provinces, and in the Zemindarry of Benares, not annulled by the above Regulations, are to be conſidered as ſtill in force.

Fifth. That the above Regulations do take place in the Company's Provinces, from the 15th inſtant, and be conſidered as having been in force, in the Zemindarry of Benares, from the 1ſt of April laſt, when public notification of the ſame was made, throughout that diſtrict.

REGULATIONS *for the* CUSTOMS, *recorded 20th June* 1788.

The Governor General in Council has thought proper to reſolve upon the following Regulations and orders regarding the cuſtoms.

That, from the end of the preſent month of June, the duties levied at the eſtabliſhed Cuſtom-houſes, under the denomination of Government Cuſtoms, ſhall be diſcontinued. To prevent miſtakes, it is declared, that this abolition is not meant, for the preſent, to extend to the duties collected at the Company's Cuſtom-houſe at Calcutta, upon imports into the town, whether by land or by ſea, and known by the name of town duties, or Company's Cuſtoms, which are continued without alteration.

That the ſeveral eſtabliſhments for collecting the Government duties at Calcutta, Hooghly, Moorſhedabad, Dacca, Patna and Chittagong, ſhall alſo be aboliſhed from the above date; and all merchants be at liberty to tranſport their goods through any part of the Company's Provinces of Bengal, Behar, and Oriſſa, on this ſide of the Carumnaſſa; or to export them by ſea, free from all cuſtoms whatever, excepting the Company's cuſtoms at Calcutta.

That, in lieu of the Cuſtom-houſe at Patna, which is to be aboliſhed from the end of this month, a new Cuſtom-houſe ſhall be eſtabliſhed, from that time, at Mangee, for collecting duties upon goods exported from the Company's Provinces, and imported into them, under the Regulations annexed.

Goods, imported into the Company's Provinces, from the dominions of the Nabob of Oude, or any contries beyond the Carumnaſſa, having paid the eſtabliſhed duties at Mangee, ſhall, from the above date, paſs duty free through any part of Behar, Bengal and Oriſſa, unleſs imported into Calcutta, when they will be ſubject to the Company's cuſtoms as above declared.

REGULATIONS *for the new* CUSTOM-HOUSE *at* MANGEE, *to be eſtabliſhed at the conflux of the rivers* GANGES *and* GOGRA.

First. Goods, exported from the Company's Provinces, ſhall pay an export duty of two and half per cent on the valuation ſpecified in the book of rates, which will be open for public inſpection at the Cuſtom-houſe.

Second. Goods, imported by the way of Benares, accompanied with a Rowannah, taken out at any of the Cuſtom-houſes in that diſtrict, (as directed in the Regulations publiſhed the 23d ultimo) ſhall pay an import duty of two and half per cent on the valuation ſpecified in the Benares Rowannah.

Third. Goods, imported into the Company's Provinces from the dominions of his Excellency the Nawaub Vizier, or from any other foreign country, without paſſing the diſtrict of Benares, ſhall, for the preſent, pay an import duty of two and half per cent on the valuation ſpecified in the book of rates.

Fourth. Merchants, importing or exporting goods, to or from the Company's Provinces, ſhall pay the duties before their boats arrive oppoſite to the Cuſtom-houſe; and boats, loaded with goods ſtopped in the attempt of paſſing the firſt ſtation, without having previouſly paid the duties, and taken out a Rowannah, ſhall be ſubject to double duties.

Fifth. A Chokey will be eſtabliſhed at Chowſah, on the confines of the province of Behar, to ſtop all boats, loaded with goods or merchandize, attempting to go out of the Company's Provinces, without having previouſly paid the export duty, and taken out a Rowannah. In like manner, a Chokey will be eſtabliſhed between Mangee and Patna, to ſtop all boats, loaded with goods or merchandize, having entered the Company's Provinces without having paid the import duty and taken out a Rowannah as above directed.

The officers, at the above Chokees, ſhall diſpatch the boats, ſo ſtopped, to the Collector at Mangee, who will be directed to confiſcate the goods.

Sixth. In order to deter merchants, applying for Rowannahs, from giving in the names of goods, different in kind, or inferior in quality, to thoſe which they may intend to tranſport, the Collector ſhall be authorized, either upon ſuſpicion or information, to ſtop any goods or merchandize, paſſing his ſtation, and to examine any part of the ſame, in the public Cutcherry; and, ſhould any ſuch fraud appear to have been committed, he ſhall detain the goods, and tranſmit the neceſſary proofs of the fact, to the Board of Revenue, who will be directed to order the confiſcation of the ſame. No boat is to be detained for examination longer than one day.

Seventh. The Cuſtom-houſe to be open every day, (Sundays excepted) for the tranſaction of buſineſs, from nine o'clock in the morning, till three in the afternoon; and Rowannahs, applied for before twelve o'clock, ſhall be made out and delivered not later than the following day.

Eighth. The Rowannahs, as at preſent, are to be ſealed and ſigned by the Collector, the Darogah, the Muſhriff or Accomptant, and the Tavildar or Caſh-keeper, the latter of whom will deliver out the Rowannahs upon the duties being paid.

Ninth. No collection whatever, either on account of fees or otherwiſe, ſhall be levied by the Collector, or any of his officers, on goods imported, or exported, to or from the Company's Provinces, beyond the duties ſpecified in the foregoing articles.

Tenth. Any native officer, diſobeying the above orders, ſhall be diſmiſſed from his

employment, and ſhall be ſubject to ſuch fine as the Board of Revenue may think proper to impoſe, not exceeding his ſalary for ſix months.

ADVERTISEMENT.

FORT WILLIAM, 25th June 1788.

The Governor General in Council, having thought fit to paſs ſome orders for better aſcertaining the number and deſcriptions of Britiſh ſubjects who come to Bengal, whether with or without licenſe granted by proper authority, his Lordſhip has been pleaſed to direct, that they ſhould be communicated to the public in the following notice.

That the Maſter Attendant will furniſh all Pilots or Maſters, in charge of the Pilot veſſels, cruizing or ordered to cruize in Balaſore roads, with printed blank letters, addreſſed according to No. 1, hereunto annexed, to the commander of any ſhip or veſſel under Engliſh colours, that may require to be piloted into the river, and with the orders contained in No. 2, which are alſo annexed to this advertiſement.

That a book will be kept in the Maſter Attendant's office, for the regiſtry of all liſts of Europeans, directed to be forwarded to him, and that copies of the liſts will be laid before Government, as they are received.

That the Cuſtom Maſter will refuſe permiſſion to the landing of any cargo from any ſhips or veſſels, the Commanders of which are required to furniſh ſuch liſts, until he receives a copy of them from the Maſter Attendant, and that he will refuſe permiſſion to the landing of any cargo, belonging to the Captains or officers of ſuch ſhips or veſſels, or of any baggage belonging to paſſengers, that have come in them, except the cargo or baggage of perſons named in thoſe liſts.

Public notice is alſo given, that the Governor General in Council, with a view to the good of the Police of this town, and to prevent, as much as poſſible, in future, any riots and diſorders which might ariſe from the irregularities of ſailors belonging to the ſhips importing into this river, and from vagrant Europeans, who ſtay in the country without any licenſe or permiſſion whatever, is pleaſed to reſolve:

That all commanders of ſhips, either from Europe or any port in India, or from China, ſhall, on their arrival at the port, deliver at the Police office, a liſt of the European ſailors in their reſpective ſhips, ſpecifying their names, and the countries of which they are ſubjects, or they ſhall not be permitted to land their goods.

That all commanders of ſhips, five days before their clearing out at the Cuſtom-houſe, ſhall deliver in at the Police office, a liſt of the European ſeamen they carry away with them, and if, comparing the liſt given on the arrival of the ſhip, with that given on its

departure, the latter ſhall be found deficient of the original complement, the Commanders ſhall deliver at the Police office an account, to the beſt of their knowledge, of what is become of the ſeamen deficient; which account, before the ſame ſhall be delivered in, ſhall be verified by an oath, taken before one of his Majeſty's Juſtices of the Peace of the town of Calcutta.

That it be notified here, and in Europe, that if any Commanders of ſhips, under any flag whatever, ſhall give a paſſage to any Britiſh ſubjects, not in the Company's ſervice, and not regularly licenſed to continue here, either as paſſengers or as ſeamen, on board the ſaid ſhips, they ſhall be obliged to take back ſuch perſons on their being ſent on board by an order of Council, and ſhall ſign an agreement, with a ſufficient penalty, to this effect, before their goods ſhall be permitted to be landed; and a certificate from the Secretary, ſhall be ſhown to the Cuſtom Maſter, of their attention to it, in any caſes that may have occurred, before they ſhall obtain a port clearance.

That all Commanders of ſhips ſhall, on their firſt arrival, and at the ſame time that they deliver in a liſt of their crews, enter into bond not to ſuffer any of their crews to come on ſhore with daggers, knives, dirks, bludgeons, or other offenſive weapons, at any time of the day or night.

[No. 1.]

TO CAPTAIN *of the* SHIP

SIR,

In conſequence of orders which I have received from the Governor General in Council, I have furniſhed the Commanders of all the Company's Pilot veſſels with blank letters, of which this is one, to be preſented to the Maſter or Commander of any ſhip or veſſel, under Engliſh colours, that may want a Pilot to conduct it into the Bengal river.

You are hereby required to deliver to the Pilot when he goes on board, a correct liſt of all Europeans in your ſhip or veſſel, whether they be paſſengers, or borne on its books. If they are paſſengers, you will note from what port in Europe or in India they have reſpectively come; and if thoſe paſſengers are Britiſh ſubjects, or perſons intending to reſide under the Britiſh flag, you will acquaint them, that, on their arrival in Calcutta, they are to repair immediately to the Maſter Attendant, that their names may be regiſtered in a book kept for that purpoſe; and you will acquaint them, that, if they fail in attending duly to this requiſition, and have not leave given by proper authority in England, to proceed to and remain in Bengal, they will be ordered back to the place from whence they came, and refuſed permiſſion to remain in this country.

The names of the paſſengers, or Europeans, borne on your books, may be entered in the margin of this letter, or written on a ſeparate paper incloſed in it; but, in either

caſe, the liſt muſt be delivered to the Pilot, who will forward it to Calcutta; and, until this liſt is received under your ſignature, or that of the officer commanding on board when the Pilot takes charge, no part of the cargo of your ſhip or veſſel, or of the baggage of your paſſengers, will be permitted to be landed.

[No. 2.]

TO MR.

PILOT, *and in command of the* HONOURABLE COMPANY'S SCHOONER *or* PILOT-VESSEL,

SIR,

I tranſmit to you, with this, blank letters, directed, on the outſide for the Commander of any ſhip or veſſel under Engliſh colours, which is to be piloted by your ſloop or ſchooner in the Bengal river: you will deliver one of theſe letters yourſelf to the Commanding Officer on board, or you will cauſe it to be delivered by the officer you may ſend to bring the veſſel in, and the Commanding Officer on board is to be required by you, or the officer you ſend, to comply with the contents of the letter after the blank in the direction has been filled with the name of ſuch Commanding Officer, and the name of ſuch ſhip or veſſel. Having received the liſt of paſſengers, and Europeans on board, as required by the letter, you will tranſmit it to the Maſter Attendant by the Chokey-boat.

If you fail in due obedience to theſe orders, you will not be permitted to act longer as a Pilot, nor will your pilotage bill be ſigned, unleſs you ſhould explain to the Maſter Attendant ſatisfactorily, that the omiſſion was not owing to any fault in you. If the Commanding Officer ſhould refuſe to ſign the liſt, you will ſend written or verbal notice thereof to the Maſter Attendant by the earlieſt opportunity.

EXTRACT *of a letter to the* BOARD *of* REVENUE, *12th November* 1788.

We have received your letter of the 14th ultimo, with its enclofure, and authorize you to adopt the Cuſtom Maſter's propoſition, for levying double duties, in all caſes of deficient entries.

ADVERTISEMENT, *dated 12th May* 1789.

Public notice is hereby given, that the Cuſtom Maſter is directed to levy duty on all imports, at the time when the goods are landed, and ſhould any perſon refuſe payment, he is to ſecure and depoſit ſuch part of the goods as ſhall be deemed equivalent to the duty; but the Governor General in Council has been pleaſed to allow a deviation from the above

mentioned rule, with reſpect to goods imported by ſea, and has authorized the Cuſtom Maſter to allow a credit from three to ſix months, for the payment of duties thereon, to ſuch perſons as ſhall depoſit a ſufficient ſecurity for the diſcharge of the amount, when it ſhall become due.

PROCLAMATION *on the 22d July 1789.*

Whereas information, the truth of which cannot be doubted, has been received by the Governor General in Council, that many natives, and ſome Europeans, in oppoſition to the laws and ordinances of this country, and the dictates of humanity, have been for a long time in the practice of purchaſing or collecting natives of both ſexes, children as well as adults, for the purpoſe of exporting them for ſale, as ſlaves, in different parts of India, or elſewhere. And whereas the Governor General in Council is determined to exert to the utmoſt extent the power and authority veſted in him, in order to prevent ſuch practice in future, and to deter by the moſt exemplary puniſhment thoſe perſons who are not to be otherwiſe reſtrained from committing the offence, his Lordſhip hereby declares, that all and every perſon or perſons, ſubject to the juriſdiction of the Supreme Court, or in any reſpect to the authority of this Government, who ſhall in future be concerned, directly or indirectly, in the above mentioned inhuman and deteſtable traffic, ſhall be proſecuted with the utmoſt rigour in the Supreme Court, at the expenſe of the Company, and, if Britiſh born ſubjects, ſhall be forthwith ordered to Europe, or if ſuch perſon or perſons be not ſubject to the Court's juriſdiction, he or they, upon information being given to the Magiſtrate of the place or diſtrict, in which the offence ſhall have been committed, ſhall be apprehended by him, and kept in confinement, to be dealt with according to the laws of the country: and that no one may plead ignorance hereof, the Superintendents, in the ſeveral parts of the country, are hereby required to give immediate notice of this proclamation, in ſuch manner as ſhall render the knowledge of it univerſal to perſons of all deſcriptions, and to repeat the ſame on the firſt day of January, in every year: they are further directed to pay the ſtricteſt attentionto the Regulations contained in it, and to take the moſt active ſteps in their power to enforce them.

And that all perſons offending againſt this proclamation may be brought to puniſhment for the ſame, and the unhappy ſufferers reſcued from miſery, a reward of one hundred Sicca Rupees is hereby offered for the diſcovery of every ſuch offender, to be paid on his conviction before the Supreme Court of Judicature, or before the Magiſtrate of the diſtrict, and of fifty Rupees for each perſon, of either ſex, who ſhall be delivered from ſlavery or illegal confinement in conſequence of ſuch diſcovery. The money will be paid to the informer or informers, on his or their application to the Secretary of Government,

and preſenting to him a certificate of the conviction of the perſon or perſons committing the offence of which ſuch informer or informers made diſcovery.

The Governor General in Council further recommends to Britiſh commercial houſes, and private merchants, to aſſiſt, as far as depends upon them, in carrying theſe Regulations into effect, by taking the moſt effectual means in their power to prevent the commanders of their ſhips or veſſels, or of ſhips or veſſels conſigned to them, or otherwiſe placed under their directions, from carrying away natives of this country in order to ſell them for ſlaves.

The Maſter Attendant of this port is hereby forbidden to grant, in future, an Engliſh Pilot to any ſhip or veſſel, the Commander of which ſhall not have previouſly declared, upon oath, that there are not then on board, and that he will not, during his continuance in the river, conſent to receive on board, any natives, to be exported as ſlaves, with an intent to diſpoſe of them at ſome foreign place, or whom he (the Commander) has any reaſon to imagine will be diſpoſed of as ſuch, after they leave this country.

And the Maſter Attendant is hereby directed to give notice to all the native Pilots, that, if they ſhould pilot out any veſſel, having on board natives of this deſcription, knowing or believing them to be ſuch, the privilege of piloting will be taken from them for ever, and their names and offence regiſtered. And that no one may plead ignorance of this order, it is hereby directed, that it be placed conſtantly in view at the Bankſaul, in the Engliſh and country languages.

ADVERTISEMENT, *dated 24th August* 1789.

Notice is hereby given, that Bengal manufactured ſpirits, will hereafter be exempt from all duties, on being exported by ſea.

ADVERTISEMENT, *dated 3d September* 1789.

If having been reſolved, by the Governor General in Council, that inſtead of the duty of ninety Rupees per hundred Maunds, on Beetle-nut and tobacco, hitherto levied at the Mungee Cuſtom-houſe, a duty of two and half per cent ſhall be levied on the eſtimated value of theſe articles agreeably to the ſpirit of the Regulations paſſed on the 20th June 1788. Public notice is hereby given, that a duty of two and half per cent only will be hereafter levied, at the above Cuſtom-houſe, on theſe articles, according to the following valuation.

Betle-nut, ſix Rupees four Annas per Maund of 82 Sicca weight.

Tobacco, four Rupees per ditto of ditto.

ADVERTISEMENT, *published on 6th January* 1790.

Notice is hereby given, that the Governor General in Council has been pleaſed to direct, that the ſtation of Reſident at Gualparrah be aboliſhed, from the expiration of the current Bengal year, and that the reſtriction, impoſed on the trade in ſalt, between Bengal and Aſſam, upon Mr. BAILLIE's appointment to Gualparrah, do ceaſe from the date of this advertiſement; and that the trade, between the two countries, in ſalt, and other articles, be open from henceforth, to all perſons, not prohibited from engaging in trade.

REGULATION *for the* TRADE *of* SYLHET, *recorded on the 8th October* 1790.

Agreed and ordered, therefore, that all Britiſh born ſubjects, Armenians and Greeks, as well thoſe now at Sylhet as thoſe deſirous to proceed there for the purpoſes of trade, who ſhall produce to the Collector of the diſtrict, a licenſe or certificate from the Secretary to the Government, ſhowing that they have permiſſion to reſide in that country, ſhall receive a Perwannah from the Collector, to the Tannahdars of the places and Pergunnahs, where and near to the place where lime ſtones are drawn, or other articles of merchandize, ſuch as wax, ivory and iron, or other manufactures of the country are procured, (excepting places north weſt of the Surma river, for to ſuch places, no perſon, whether Britiſh born ſubject, Armenian or Greek, ſhall on any account be allowed to reſort) directing that the party ſhall ſuffer no let or hindrance in carrying on his traffic, whilſt he conducts himſelf in an orderly manner, and attends duly to the directions herein after mentioned, concerning the trade of the natives.

Agreed and ordered, that as Sylhet is a frontier diſtrict, and the circumſtances of it render the Regulation expedient, no licenſe or certificate, authorizing any Britiſh born ſubject, or other perſon, not amenable at preſent to the Dewannee Adaulut, to trade in Sylhet, ſhall be granted until the parties, for whom they may be wanted, ſhall enter into a penalty bond, or obligation, under ſuch ſecurity as Government ſhall approve, (the form of which bond or obligation may be ſeen at the Secretary's office) rendering themſelves amenable to the Dewannee Adaulut of the diſtrict of Sylhet, at the ſuit of the natives, to all intents and purpoſes, and in the ſame manner as the natives are amenable to it, at the ſuit of Britiſh ſubjects, by the 38th article of the Regulations now in force, for the adminiſtration of juſtice, in thoſe Courts. The bond or obligation ſhall be recoverable in the Dewannee Adaulut of Sylhet.

Agreed and ordered, that the trade of Sylhet, whether in Chunam or other articles,

be declared entirely free to all the natives; or in other words, to all perſons generally known under that denomination, under the following Regulations.

1ſt. That they ſhall not ſupply the Coſſeahs or other hill people with arms, ammunition or other articles of military ſtores, under a penalty to be fixed by the Collector

2d. That ſuch prohibited articles ſhall not paſs the Chokeys, where all boats will be ſearched, and contraband goods, if found, ſeized. No Boat ſhall be detained longer than is abſolutely neceſſary for this purpoſe.

3d. That no Burgondeſſes, Sepoys, or other armed people belonging to individuals, ſhall be allowed on any pretence, to paſs to Lavur and places N. W. of the Surmah, nor to any place in the Company's country, under the Collector of Sylhet, unleſs it ſhall appear to the Collector, that the ſame are indiſpenſably neceſſary for the perſonal defence, or the ſafety of the property, of the merchant, or perſon who employs them.

ADVERTISEMENT, *dated 16th March 1791.*

The Governor General in Council having had frequent complaints laid before him, that the anchoring places in and near Diamond Harbour, and the navigation of other parts of the river, have been much injured by the commanders and officers of private ſhips and veſſels permitting the ballaſt in ſuch ſhips and veſſels, to be thrown over board, as they lie at anchor, or are moving from one part of the river to the other.

Public notice is hereby given, that directions have been received by the Maſter Attendant, to iſſue his orders to the Pilots, to warn the commanders of ſhips and veſſels, importing into this river, upon the Pilot taking charge, that the orders of Government abſolutely prohibit the practice abovementioned, and that unleſs the commanders will poſitively engage, by an obligation of the form annexed, that the ſaid practice ſhall not be permitted, unleſs in caſes of abſolute neceſſity, of which the Board will afterwards judge, upon the caſe's being laid before them, the Pilots (who are to conſider theſe orders as peremptory, and requiring their ſtricteſt obſervance) are not allowed to moor the ſhips at Diamond Harbour, or to continue in charge beyond that harbour, but to moor them in a ſafe place, and there leave them.

Public notice is alſo given, that the Governor General in Council, fully impreſſed with the importance of having this order duly attended to, has inſtructed the Maſter Attendant to report to the Secretary to the Government, in future, every inſtance in which the abuſe it is intended to prevent, has been committed, and wait for the written authority of the Board, before he allows a Pilot to conduct to ſea the ſhip or veſſel from whence the ballaſt has been thrown.

Form of the obligation to be entered into by the Masters and Commanders of Ships and Vessels entering this river.

The Governor General in Council having been pleaſed to iſſue poſitive injunctions to prohibit the practice of throwing over board, from ſhips or veſſels, any of their ballaſt, while they remain at anchor at Diamond Harbour, or are paſſing from one part of the river to the other, I hereby engage that the ſtricteſt order ſhall be given, and the greateſt care taken, to prevent ſuch abuſes, as far as regards the ſhip or veſſel under my command.

NOTIFICATION, *dated 1st June* 1791.

Public notice is hereby given, that from the 1ſt of Auguſt next, no packages, caſks, bales, cheſts, or parcels of goods, of any kind, will be received into the Cuſtom-houſe Godown, without they are marked with an Engliſh letter or number, or a perſon's name, in Engliſh. No receipt will be given for any package, &c. that is not marked as above directed, and the Cuſtom-houſe officers are not in future to be anſwerable for any goods, lodged in the Godown, unleſs the owner takes a receipt for them, ſpecifying marks, numbers, &c. This receipt is to be returned on clearing out the goods, which muſt be in ſeven days from their entry; if longer, Godown rent will be charged.

REGULATIONS, *published on the 12th August* 1791.

Public notice is hereby given, that the Governor General in Council has been pleaſed to recommend to the Governor in Council at Fort St. George, that all duties and cuſtoms whatever, levied at the Preſidency and its ſubordinates, upon goods and merchandize imported there, and exported from this country, being the produce or manufacture of Bengal, and its immediate dependencies, that is to ſay, of Bengal, the Company's Dewannee Diviſion of the Province of Oriſſah, the Province of Behar, and the Zemindarry of Benares; likewiſe all duties and cuſtoms whatever, upon goods and merchandize, the produce or manufacture of the Province of Oude, ſhall be wholly aboliſhed, from and after the 1ſt of next month, September, according to the undermentioned Regulation, ſave and except the duties and cuſtoms upon rice and other grain, which ſhall only be diſcontinued for two years, commencing from the ſame period.

Public notice is alſo hereby given, that a ſimilar recommendation has been ſent to the Governor in Council at Bombay, with reſpect to the imports at that Preſidency, and its ſubordinates, of goods and merchandize, the produce and manufacture of Bengal, and the other countries already ſpecified, ſubjecting the abolition or diſcontinuance of the

duties therefore (which in reſpect to Bombay and the Malabar coaſt are to take place from the 1ſt of October next) to the ſame Regulations that apply to the exports on the coaſt of Coromandel.

REGULATIONS.

1ſt. Any merchant, exporting goods, for either of the coaſts of Coromandel or Malabar, muſt apply to the Cuſtom-maſter, for a certificate of the goods he means to export.

2d. No certificate will be granted for any goods, not the produce or manufacture of Bengal, the Company's Dewanny diviſion of the Province of Oriſſah, the Province of Behar, the Zemindaree of Benares, or the Province of Oude.

3d. All applications for certificates, for exporting Bengal manufactured ſpirits, muſt be accompanied by a certificate from the manufacturer, ſpecifying that the ſpirits in queſtion have been manufactured at his diſtillery.

4th All applications for certificates muſt ſpecify particulars as follows.

Spirits, the marks and number of caſks, and number of gallons in all.

Rice, ſugar, and all other weighable articles, the number of bags and Maunds.

Raw ſilk, the marks and weight of each bale.

Piece goods, the marks of the bale, and the number of pieces contained in each bale.

5th. The certificate muſt be produced at every port, where any of the goods are to be landed, and the Cuſtom-Maſter or Preſident, at ſuch port, is to write off, on the back of the certificate, the quantity of each ſort landed, and deliver it again. The certificate is to be lodged by the owner, or by the conſigner, at whatever port the whole of the cargo, or the laſt part of it, ſhall be delivered.

6th A certificate for Surat and the Malabar coaſt, ſhall remain in force ſix months, and for the Coaſt of Coromandel, three months.

7th. All Bengal goods and merchandize, imported on either the Malabar or Coromandel coaſt, without a certificate from the Calcutta Cuſtom-maſter, ſhall be ſubjected to the duties as heretofore.

8th. In caſe of any goods being exported from the river Hooringatta, the merchant muſt apply to the Collector of the Dacca Province, for a certificate, conformable to the above Regulations; and in the caſe of any being exported from Chittagong, the exporter muſt apply for a certificate to the Collector of that Province.

NOTIFICATION, *dated 23d November 1791.*

As ſundry inſtances have occurred, within the Zemindary of Benares, in which boats, with goods, paſſing up and down the Ganges and Goomty river, have been neceſſarily detained at one of the four Cuſtom-houſe ſtations in the ſaid diſtrict, by reaſon of the conductor's being unprovided with the means of paying the eſtabliſhed import duties, and as this inconvenience may in ſome meaſure be attributed to the European owners of ſuch goods not adverting to, or being fully aware of, the Regulations of the Government relative to ſuch duties, it is therefore hereby ſignified, for the information of the public, that upon all goods and merchandize imported from the dominions of the Nuwab Vizir, the Benares Cuſtom-houſe duties are payable at Mirzapoor, or Jownpoor, according to the terms of the commercial treaty, concluded in the year 1788, between the Company, and his excellency the Nuwab Vizir aforeſaid, and on all goods imported from the Provinces of Bengal, Behar and Oriſſa, the ſame amount of the Benares Cuſtom-houſe duties are payable at Gazepoor (being the firſt ſtation on that ſide) as ſhall have been levied at Mangee, by the Collector of Government Cuſtoms there, as ſpecified in the Rowanah thence iſſued: provided always that in each caſe the goods be found to correſpond with the Rowanahs accompanying ſuch boats, as obtained for the duties thus previouſly paid, either to His Excellency or the Honorable Company; for otherwiſe a new Derkhaſt or application in writing, will be taken from each importer at the firſt Cuſtom-houſe ſtation at Benares, ſpecifying the articles and the quantity of the goods, for which a Benares Rowanah is to be granted. If ſuch goods be afterwards found to exceed the manifeſt, or ſpecification, delivered in the ſaid Derkhaſt, ſuch concealment ſubjects all the merchandize in ſuch boats, either to double duties, or to entire confiſcation, according to the enormity of the caſe.

TRANSLATION *of the* TREATY *of* COMMERCE *with* NEPAUL, *dated 1st March 1792.*

ARTICLE I.

Inaſmuch as an attention to the general welfare, and to the eaſe and ſatisfaction of the merchants and traders, tends equally to the reputation of the adminiſtrators of both the Governments of the Company, and of Nepaul; it is therefore agreed and ſtipulated, that two per cent ſhall reciprocally be taken, as duty, on the imports from both countries; ſuch duties to be levied on the amount of the invoices of the goods, which the merchants ſhall have along with them; and to deter the ſaid traders from exhibiting falſe invoices, the ſeal of the Cuſtom-houſes of both countries ſhall be impreſſed on the back

of the ſaid invoices, and a copy thereof being kept, the original ſhall be reſtored to the merchants; and in caſes where the merchant ſhall not have along with him his original invoice, the Cuſtom-houſe officers ſhall, in ſuch inſtance, lay the duty of two and half per cent, on a valuation according to the market price.

ARTICLE II.

The oppoſite ſtations hereunder ſpecified, within the frontiers of each country, are fixed for the duties to be levied, at which place the traders are to pay the ſame; and after having once paid duties, and receiving a Rowanah thereon, no other or further duty ſhall be payable throughout each country or dominion, reſpectively.

ARTICLE III.

Whoever, among the officers on either ſide, ſhall exceed in his demands for, or exaction of, duty, the rate here ſpecified, ſhall be exemplarily puniſhed by the Government to which he belongs, ſo as effectually to deter others from like offences.

ARTICLE IV.

In the caſe of theft or robberies happening on the goods of the merchants, the Foujedar, or officer of the place, ſhall, adviſing his ſuperiors or Government thereof, ſpeedily cauſe the Zemindars and proprietors of the ſpot to make good the value, which is in all caſes without fail to be ſo made good to the merchants.

ARTICLE V.

In caſes where, in either country, any oppreſſion or violence be committed on any merchant, the officers of the country wherein this may happen, ſhall without delay hear, and inquire into the complaints of the perſons thus aggrieved, and doing them juſtice, bring the offenders to puniſhment.

ARTICLE VI.

When the merchants of either country, having paid the eſtabliſhed duty, ſhall have tranſported their goods into the dominions of one or the other ſtate, if ſuch goods be ſold within ſuch ſtate, it is well; but, if ſuch goods, not meeting with ſale, and that the ſaid merchants be deſirous to tranſport their ſaid goods to any other country, beyond the limits of either of the reſpective ſtates, included in the treaty, the ſubjects and officers of theſe latter ſhall not take thereon any other or further duty than the fixed one levied at the firſt entry; and are not to exact double duties, but are to allow ſuch goods to depart in all ſafety, without oppoſition.

ARTICLE VII.

This treaty ſhall be of full force and validity, in reſpect to the preſent and future rulers of both Governments; and being conſidered on both ſides as a commercial treaty,

and a baſis of concord between the two ſtates, is to be at all times obſerved, and acted upon in times to come, for the public advantage, and the increaſe of friendſhip.

ADVERTISEMENT, *dated 27th June* 1792.

It having been repreſented to the Governor General in Council, that the commanders of ſhips, arriving in this river, are very negligent in complying with the order of Council paſſed on the 25th June 1788, which directs that they deliver in a liſt of their ſhip's company to the Police office, on their arrival and departure, the order in queſtion is now re-publiſhed, and notice is hereby given, that the Cuſtom-maſter has been directed not to permit any goods to be landed, till the commanders of the ſhips or veſſels, on which they are imported, ſhall produce a certificate from the Police office, of their having complied with the order of Government.

ADVERTISEMENT, *dated 27th June* 1792.

The ſale of fire arms, or other warlike ſtores, to or for the uſe of the country powers, or private perſons, without expreſs authority for that purpoſe, having been heretofore prohibited by the orders of the Government, and the Board having reaſon to believe, that thoſe orders which are of ancient date, may not be generally known; and that, in ſome inſtances, where they have been known, attempts have been privately made to counteract them, it is hereby publickly notified and declared, that the ſaid trade has been, and continues to be, entirely forbidden, and that any perſon, or perſons, who ſhall be detected in exporting from Calcutta, or other part of Company's Provinces, to any part or parts of the country within their territories, or otherwiſe, cannon, or guns of any other deſcription, or any arms or warlike ſtores, of whatever denomination, without a paſs, ſealed with the ſeal of the Company, and ſigned by the Secretary to this Government, will be conſidered as having forfeited the protection of the Company, and will be dealt with accordingly.

It is further hereby notified and declared, that the Superintendents of the Police for the town of Calcutta, the Collector and officers within the Provinces, including the Zemindary of Benares, and the Magiſtrates of the ſeveral diſtricts, have been directed to take due care that the ſtricteſt attention is paid to the order now given, and to ſeize, within their reſpective juriſdictions, any property attempted to be paſſed in violation of ſuch order, declaring the ſaid property confiſcated to Government, for their uſe and benefit, and for the benefit of the informer, who ſhall be entitled to half its value, upon conviction of the party or parties engaged in the trade.

ADVERTISEMENT, *dated 21st September 1792.*

Notice is hereby given, that the export duty, levied in the Zemindary of Benares, on goods and merchandize, the produce or manufacture of that diſtrict, has been reduced from five, to two and half per cent, from the commencement of the current Fuſly year 1200, correſponding with the 14th September, 1792.

ADVERTISEMENT, *dated 28th September 1792.*

Notice is hereby given, that the duty to be levied on goods imported from Nepaul into the Company's Territories, as ſpecified in the firſt article of the commercial treaty, publiſhed in the Gazette of the 3d May, is to to be paid at one of the following places.

Calcutta, - - - - - -	*In the Zemindary of Benares.*
Mangee in Sircar Saurun,	
City of Benares, - - -	
Gazeepoor, - - - - -	
Jowanpoor, - - - -	
Mirzapoor, - - - - -	

The duty to be levied by the Raja of Nepaul, on imports from the Company's territories, is to be paid at one of the following places.

Chuſpany, alſo called Bemped, lying directly north from Patna.

Pouna, alſo called Sudly, lying to the north eaſt of Durbungha, in Tirhoot.

COMMERCIAL REGULATIONS.

RESOLUTIONS *passed in* COUNCIL, *on the 12th April 1773.*

1ſt. That all weavers and manufacturers ſhall, in future, have full liberty to work for whom they pleaſe, and ſhall, on no pretence whatever, be obliged to receive advances againſt their inclination, either from the Company, or from private merchants. It is intended, however, that they ſhall compleat any engagements which they may have already made for this year.

2d. That we will receive propoſals, from all native merchants, who may be willing to contract with the Company for any quantity of goods, (not amounting to leſs than 20,000 Rupees,) of the proper aſſortments for their inveſtment, and to give ſatisfactory ſecurity for the performance of their engagements.

3d. That we will receive, for ready money, whatever goods, of proper aſſortments, may be tendered upon ſuitable terms.

4th. As our honorable Maſters, with a view to the freedom of trade, and the welfare of the country, have thought proper to relinquiſh the influence of their authority in the proviſion of their inveſtment, they expect an equal attention from their ſervants. Whoever, therefore, ſhall attempt, directly or indirectly, to force advances upon the weavers, or make them enter into engagements againſt their will, or any way exerciſe an undue influence over them, ſhall be immediately ſuſpended from the Company's ſervice; if any Collector ſhall, upon their complaining to him, neglect to give them proper redreſs, he ſhall be removed from his ſtation. Agreed, that copies of theſe reſolutions be forwarded to all the ſubordinate factories and Collectors, with orders that they ſtrictly attend to them, and publiſh them throughout their diſtricts; that the gentlemen of the factories be directed to tranſmit to the Committee of Commerce whatever propoſals for contracts may be made to them, with their ſentiments of the reſponſibility and character of the propoſers, and alſo an exact account of the outſtanding balance to the end of laſt year, ſpecifying when they were incurred, what part are deſperate, and what they deem recoverable. Agreed further, that the Secretary do ſend copies of theſe reſolutions to the ſeveral offices for the information of the Company's ſervants, and that the following advertiſement be publiſhed at the Preſidency, and tranſmitted to the ſubordinate factories, for propoſals for contracts, and ordered that a copy of theſe proceedings be ſent to the Committee of Commerce for their guidance.

Notice is hereby given, that the Preſident and Council will receive propoſals, on or before the 1ſt of June next from all native merchants, who may be willing to contract with the Company for any quantity of goods, (not amounting to leſs than 20,000 Rupees,) of the proper aſſortments for their inveſtment, and to give ſatisfactory ſecurity for the performance of their engagements. Muſters of the different aſſortments are to be ſeen at the Export Warehouſe.

That the Preſident and Council will receive, for ready money, whatever goods, of proper aſſortments, may be tendered upon ſuitable terms. That all weavers and manufacturers ſhall have full liberty to work for whom they pleaſe, and ſhall on no pretence whatever, be obliged to receive advances againſt their inclination, either from the Company, or from private merchants. It is however meant, that they ſhall compleat any engagements which they may have already made for this year.

PUBLICATION, *dated 1ſt May* 1775.

Whereas repreſentations have been made by the Director and Council of the Dutch Eaſt-India Company, at Chinſurah, that their Gomaſtahs have received, and do receive, great impediments and vexations in the proviſion of the cloths, manufactured

for the said Company. And whereas publication was made, under the seal and orders of the Dewannee, in the month of April 1773, that the weavers of the provinces of Bengal and Bahar should enjoy a perfect and entire liberty to deal with any persons whom they pleased, and that no person should use force of any kind, to oblige the weavers or other manufacturers, to receive advances of money, or to engage in contracts for the provision of cloths, against their will, and that all persons offending against this order should suffer severe punishment.

Notice is hereby given, to all Gomastahs, Dololls, Pykars and others, acting under the authority of the English Company, or engaged in the service of individuals belonging to their jurisdiction, that if any of them shall exercise, or offer any act of violence to the weavers or other manufacturers of cloths, or raw silk, to compel them to enter into their service, or to accept of their advances; or shall, by any illegal means, interrupt or impede the fair trade of the Dutch Company, or of any other merchants of whatever nation, they shall be punished in a severe and exemplary manner. And, for that purpose, orders have been issued, to the Chiefs and Councils of all the Provincial Divisions, to receive, and minutely to examine, all complaints that shall be preferred to them concerning such abuses, and to punish the authors of them.

EXTRACT *of* PROCEEDINGS *of the* GOVERNOR GENERAL *in* COUNCIL, *dated* 12*th June* 1775.

CIRCULAR LETTER *to the* PROVINCIAL COUNCILS.

We did not mean, by the publication for the general freedom of trade, sent you on the 1st May, to release the weavers from any former engagements, which they might have voluntarily contracted, but as we understand that many of them have availed themselves of this plea, to endeavour to relinquish the Company's employment, notwithstanding the advances they had received, we direct, that you cause a new publication to be made, expressive of our intention, in this respect, and that you give every equitable assistance, in your power, to the Agents of the Board of Trade.

REGULATIONS *for* WEAVERS, *recorded on the* PROCEEDINGS *of the* PUBLIC DEPARTMENT, *under date the* 31*st August* 1775, *and issued by the* BOARD *of* TRADE, *on the* 5*th September following.*

1*st* Weavers, from whom balances are due to the Company, shall discharge those balances by engaging to work cloths to the amount of them, unless they are willing to enter into fresh engagements, in which those balances shall be included; but they

ſhall not be compelled to receive freſh advances on any account or pretext whatever.

2*d*. That weavers, having executed engagements to the Company, and received the Company's advances, ſhall deliver cloth accordingly.

3*d*. That upon any weavers' failing to deliver cloth, according to the ſtated periods agreed upon, the Company's Agents ſhall be at liberty to place Peons upon them, and keep them under reſtraint.

4*th*. That if any weaver, in the Company's ſervice, ſhall be convicted of ſelling cloth to private merchants, whilſt he is deficient in his deliveries, according to the ſtated periods of his agreement with the Company, ſuch offender ſhall be puniſhed, on a regular proceſs, and conviction in the Judicial Court, before the officers appointed to proſecute ſuch inquiries, by the Regulation eſtabliſhed in the orders of the Board of the 14th March.

5*th*. That Peons ſhall not be ſent, either, from the Provincial or Pergunnah Courts, to apprehend weavers in the Company's ſervice, unleſs in caſe of ſome heinous offence; but orders ſhall be ſent to the Company's Gomaſtah, to produce them by a certain day.

6*th*. On any charges againſt any of the Gomaſtahs, application ſhall be made by the Provincial Council, to the Commercial Chief, who ſhall cauſe the Gomaſtah to appear before the Council or Courts of Juſtice, to anſwer to the charge againſt him, and a copy of the charge ſhall be delivered at the ſame time, to the Commercial Chief, and a copy of the proceedings, when the inquiry ſhall be concluded; but, if the Gomaſtah ſhall engage in any revenue [illegible] no attention ſhall be paid to the character he bears as a Gomaſtah to the Company, but he ſhall be ſummoned in the ſame manner, and be made equally amenable to the Provincial Council, and the Courts of Dewannee, as any other renter of the collections.

7*th*. The Daroghas of the Pergunnah Courts of Juſtice, ſhall not be authorized to puniſh or place Peons on the Company's Gomaſtahs, nor to arreſt their perſons, except in default of obedience to the ſummons of the Daroghas, which ſhall be written in the following form.

To A. B. Gomaſtah of C. Aurung.

"You are hereby required to repair immediately, in perſon, or to ſend a Vakeel in your ſtead, to the Moſuſſul Adaulut of this Pergunnah, to anſwer to ſuch complaints as ſhall be there preferred againſt you—In this do not fail"; and that it be a rule, that on the appearance of the Gomaſtah, or his Vakeel, before the Court, in conſequence of every ſuch ſummons, the charge againſt him be inſtantly given him in writing, and the

evidence in ſupport of it examined; after which, a reaſonable time ſhall be allowed him to make his defence, but no additional charge ſhall be received againſt the Gomaſtah, in the original cauſe, until the judgment of the Court ſhall have been taken upon it. Every evidence and exhibit ſhall be admitted from both parties, without an option in the Court to reject them, and the whole proceedings of the Court, with their judgment, upon every caſe, ſhall be tranſmitted to the Dewannee Adaulut of Dacca, for their reviſal and confirmation.

REGULATIONS *for* WEAVERS, *recorded on the* PROCEEDINGS *of the* PUBLIC DEPARTMENT, *under date the* 22*d April* 1782.

Whereas, a practice has prevailed in ſome parts of the country, of ſelling cloths provided by the Company's advances, clandeſtinely to individuals.—It is hereby reſolved, and ordered, that the purchaſers of the ſaid cloths, apparently knowing them to be the property of the Company, by the ſecret and clandeſtine manner which they take to procure them, or by the notoriety of the weavers being in the Company's employ, who offer to diſpoſe of them, on proof of the fact, ſhall be liable to puniſhment by the Adaulut, according to the nature of his offence: and the cloths, ſo purchaſed, ſhall be confiſcated.

It is nevertheleſs to be underſtood, that the Board think proper, and do hereby mean, to except from this rule, the purchaſers of cloths manufactured purpoſely for them by previous agreement, and for which the advances ſhall have been antecedently made to the weavers: and all purchaſes openly and fairly made, at the public Hauts and Bazars.

REGULATIONS *for the* HONORABLE COMPANY'S WEAVERS, *paſſed on the* 19*th July* 1786.

Whereas various Regulations have, at different times, been made, particularly on the 5th September 1775, and 22d April 1782, for ſecuring to the Company, agreeably to juſtice and long eſtabliſhed right, the labours of the manufacturers engaged to them: and whereas complaints notwithſtanding ſtill continue of hindrances, in this reſpect, from the interference of native Collectors, the proceſſes of the country Courts, the diſhoneſty of the manufacturers themſelves, and the interloping of other traders, or their agents; in order to obviate the inconveniencies now felt, and to confirm the rights of manufacturers and purchaſers of every denomination, the following Regulations, comprehending thoſe formerly paſſed, are hereby laid down.

I.

Weavers employed by the Company ſhall (in common with all other Ryots of the Provinces) pay nothing on the ſcore of rent beyond what is ſpecified in their Pottahs, which are to be framed according to the ſtated eſtabliſhed dues of Government; they ſhall be ſubjected to no arbitrary occaſional tax of Zemindars, farmers, or Collectors, on any account whatſoever.

II.

No weaver employed by the Company ſhall be confined by any Zemindar, or other perſon, engaged in the collection of the revenues, nor harraſſed with Peons or ſummons, either in revenue or judicial matters, to their Cutcherries. The mode of proceeding againſt them, whether in revenue or judicial matters, ſhall be as ſtated in the following Regulations.

III.

That the Commercial Reſidents ſhall, at the time of regiſtering the Company's weavers, as directed in article fourteenth, take an account of their engagements with the Zemindars, &c. on account of revenue. A ſimilar account is to be delivered by the Zemindar or farmer of his claims on the weavers &c. to the Collector: and on complaint againſt manufacturers, Gomaſtahs, Moherers, Delolls, Peons, and other perſons belonging to the factories, employed in the tranſportation of the Company's inveſtment, for non-payment of revenue, the Collector or farmer ſhall firſt ſtate his claim in writing to the Commercial Reſident, who, if the weaver be then actually employed by the Company, ſhall ſatisfy the real debt, and ſtop it by Kiſtbundy from the weaver's balance or future advance, without interruption of his labour on the public inveſtment. If refuſed to be ſo adjuſted, the Collector, on application, ſhall iſſue his ſummons of the party, and ſend it to be ſerved through the Commercial Reſident, who ſhall cauſe him to appear on the day appointed either in perſon or by Vakeel.

IV.

In caſes of breach of the peace, or other miſdemeanor, complaint having in the firſt inſtance been made to the Provincial Adaulut, a ſummons ſhall iſſue to the Commercial Reſident, with a copy of the complaint at large, who ſhall compel an appearance on the day appointed, either by Vakeel or in perſon, and in the mean time, ſhall tranſmit all the information he is poſſeſſed of on the ſubject, with his remarks, to the Provincial Courts of Adaulut.

V.

Native Collectors, whether Zemindars, farmers, or Agents, having of courſe much authority in the diſtricts wherein they are placed, are not on that account to behave with

diſreſpect to the Company's Commercial ſervants ſtationed in ſuch diſtricts, which might injure their buſineſs, and have other ill conſequences, nor are they to act as if there was any juſt oppoſition between the Departments of Revenue and Commerce.

VI.

The Commercial Reſident, or his aſſiſtant, ſhall be at liberty to ſummon any weavers or manufacturers, or to ſend into any diſtricts where cloths are fabricated, in order to know from themſelves, whether they are willing to engage for any part of the Company's inveſtment, and this without let or interruption from the Zemindar, or other renter or proprietor of the lands, which ſuch people inhabit.

VII.

Any Zemindar, farmer, or proprietor of lands, refuſing admiſſion to the Commercial Department, or uſing threats, menaces, or puniſhment, to deter manufacturers from accepting the Company's advances, ſhall, on conviction before the Revenue Collectors of the diſtrict, if a renter, be liable to loſe his farm; if a Talookdar, be liable to fine or puniſhment.

VIII.

And in order to prevent diſputes between the Agent of the Engliſh Eaſt India Company and individuals, eſpecially with the Agents or Gomaſtahs of the French, Dutch or Daniſh Companies, it is hereby ordered, that no weaver, while employed in the manufacture of the public inveſtment, ſhall accept of advances from any other perſon whomſoever, until he ſhall have finiſhed the cloths previouſly contracted to be delivered to the Company, and have been refuſed a further advance from the Company's Agent, at the rates and according to the quality of the aſſortments, which he has been accuſtomed to manufacture.

IX.

And for the better aſcertaining the number of weavers in each diſtrict in the Company's employ, as well as the nature and extent of their reſpective engagements, it is hereby directed that every weaver be furniſhed with a ticket ſpecifying the name, place of abode, and Cootey under which he works, and containing an account of the dates and period of advances made, the value of the cloths or goods, he ſhall from time to time deliver in return.

X.

That at the end of each year, or expiration of each engagement, the Commercial Reſident, or his repreſentative, ſhall ſign to the adjuſtment of ſuch weaver's account, and

receive the weaver's ſignature to the counterpart thereof; which latter ſhall remain at the factory or Cootey, to be produced in evidence whenever called for.

XI.

Upon any weavers failing to deliver cloth according to the ſtated period agreed upon, the Company's Agent ſhall be at liberty to place Peons upon them, and keep them under reſtraint.

XII.

If any weaver in the Company's ſervice ſhall be convicted of ſelling cloth either by himſelf, any of his family, journeymen, or by any Agent, to any other merchants or dealers whatever, whilſt he is deficient in his deliveries, according to the ſtated periods of his agreement with the Company, ſuch offender ſhall be puniſhed in a regular proceſs on conviction in the Judicial Courts.

XIII.

And whereas a practice has prevailed of ſelling cloths, provided by the Company's advances, clandeſtinely to individuals, apparently becauſe it ſuits private dealers beſt to buy without riſking balances, ready-made goods, and thoſe of the finer aſſortment, which the Company's weavers, long ſupported by them, are enabled by their advances to produce.

It is hereby reſolved and ordered, that the purchaſers of the ſaid cloths, apparently knowing them to be the property of the Company, by the ſecret and clandeſtine manner which they take to procure them, or by the notoriety of the weaver's being in the Company's employ, who offers to diſpoſe of them, on proof of the fact ſhall be liable to puniſhment by the Adaulats according to the nature of his offence: and the cloths ſo purchaſed ſhall be confiſcated.

It is nevertheleſs to be underſtood, that the Board think proper, and do hereby mean, to except from this rule all purchaſes openly and fairly made at the public Hauts and Bazars.

XIV.

And whereas it has been alleged by thoſe whoſe intereſt it was to make ſuch purchaſes, that the Company's weavers cannot be diſtinguiſhed from others, it is hereby ordered, that a liſt, or regiſter, of the weavers employed by the Company in every Pergunnah, be ſtuck up by the Commercial Agent there in the Cutcherry of that Pergunnah, and the ſame to be corrected at the beginning of every week, or month, according to the alteration that ſhall have happened in the week or month preceding.

XV.

Collectors of the Revenue are to afford every aſſiſtance neceſſary for the protection of the weavers, and the ſecurity of the inveſtment, on an application in writing from the Commercial Reſident.

XVI.

Weavers employed at the ſame time by more than one foreign or private Agent, ſhall be compelled to deliver firſt to the previous Contractor, and afterwards to others, according to priority of engagements. And herein individual rights will correſpond with the extenſion of commerce, which is to be promoted not ſo much by contending for the labours of the ſame man, though of ſuperior ſkill, as by bringing more hands, though new or leſs improved, into employ.

XVII.

Weavers, with whom compulſion is uſed to enter into agreements, or who are not paid for their cloths according to the agreements voluntarily made between them and the Company's ſervants, or Contractors, may complain, in the firſt place, if the injury is offered by native Agents, to the Commercial Reſident or Contractor, under whom they act; if the injury is offered by the Reſident or Contractor himſelf, or if he gives no redreſs againſt his Agents, complaint may then be made to the Collector of the diſtrict in which ſuch weavers reſide, and the ſaid Collector is hereby required to enter into an intelligent and impartial examination of ſuch complaint, and if he judges it expedient, to repreſent the ſame to the Commercial Reſident, or Contractor, to receive his anſwer, and determine thereupon either to diſmiſs the complaint, or to refer it to the Preſidency; and the weavers, if diſſatisfied with the conduct of the Collector, may themſelves repreſent their caſe at the Preſidency (by a delegation of not more than ten of the number of complainants:) but in order that encouragement may not hence be taken for falſe or frivolous complaints, in the view of eluding the performance of fair agreements, or of procuring improper advantages, all manufacturers are hereby informed, that complaints which are found to be really groundleſs will be duly puniſhed; and of this Collectors are alſo deſired to take proper notice.

XVIII.

Weavers who have reaſon to complain as above, of the conduct of other traders towards them are, if employed by the Company, to have recourſe for protection to the Commercial Reſident; if not ſo employed, to the Collector or the Dewannee Adaulut.

XIX.

All merchants obſtructed in their fair trade, conducted according to the foregoing Regulations, are to have the ſame recourſe as is ſtated in the laſt two Regulations.

XX.

All perſons whatever, employed for the Company in the diſtrict, either in the revenues, commerce, or judicial line, are required to treat the manufacturers and fair traders, conforming to the foregoing Regulations, with kindneſs and encouragement.

XXI.

It is to be underſtood and accordingly ordered, that theſe Regulations are to operate in their full extent and force, in relation to the ſervants and manufacturers employed by the Commercial ſervants, or Contractors for raw ſilk, and every other article compoſing the Honorable Company's inveſtment, provided in the provinces of Bengal, Behar, and Oriſſa.

REGULATIONS *for* WEAVERS, *more particularly those in the* COMPANY'S EMPLOY, *with a General Supplementary Article; paſſed by the Right Honorable the* GOVERNOR GENERAL *in* COUNCIL, *on the 23d July*, 1787.

I.

Weavers not indebted, nor under engagements, to the Company ſhall not be compelled to enter into their employ. And weavers, indebted to the Company, or under engagements to them, on duly diſcharging ſuch debts, or engagements, ſhall not be compelled to enter into ſuch engagements; but they ſhall give at leaſt a fortnight's notice, when they intend not to take further advances.

II.

Weavers indebted to the Company, that have received advances from them, or come under engagements to them, ſhall, in diſcharge of ſuch debt, advances, or engagements, deliver cloths according to agreement. They ſhall on no account give to any other perſon, or perſons whatever, European or native, either the labor, or the produce engaged to the Company, and if they have not fulfilled their engagements by the periods agreed on, they ſhall not work for newer engagements, nor for Bazar ſales, until thoſe engagements are compleated.

III.

When any weaver fails to deliver at the ſtipulated periods the cloths he has engaged for, the Company's Agent or repreſentative ſhall be at liberty to place Peons upon him, in order to quicken his deliveries, and prevent his infringing the two latter Clauſes of Article II.

IV.

If, notwithſtanding, any weaver ſhall by himſelf, or any other perſon, ſell cloths to private merchants, Europeans or natives, dealers or Agents of whatever kind, whilſt he is deficient in his ſtipulated deliveries to the Company, ſuch offender may be proſecuted in the Dewannee Adaulut, and upon conviction ſhall be adjudged to forfeit to the Company all that the produce of the cloths ſo ſold, rated either at what he got for it, or its Bazar value, ſhall exceed the ordinary prime coſt of the thread in it, with coſts of ſuit beſides, and moreover be ſtill obliged to complete his engagements.

V.

Perſons procuring from weavers in the Company's ſervice, by the offer of ready money, or on pretence of previous engagements, which are not avowed, cloths really wrought for the Company, and with their advances, knowing ſuch cloths to be the right of the Company, either by the mark upon them, or the tranſactions between the weavers from whom they procure them, and the Company, or having reaſon for ſuch knowledge from the notoriety of thoſe weavers being in the Company's employ, or diſcovering the ſame by the clandeſtine methods they take to obtain the cloths, ſhall, on proof of the fact in the Adaulats, be ſubjected to ſuch puniſhment as the nature of the offence may appear to deſerve; and the cloths ſo obtained, ſhall be reſtored to the Company. But for purchaſes openly and fairly made at the public Hauts and Bazars, the buyers ſhall be liable to no proſecution unleſs the cloths have the Company's mark upon them.

VI.

A liſt or regiſter of the weavers employed by the Company in every Pergunnah, with their places of abode, ſhall be ſtuck up by the Commercial Agents there, in the Cutcherry of that Pergunnah, and the ſame ſhall be corrected at the beginning of every week or month, according to the alterations that ſhall have happened in the week or month preceding. The officers of the Cutcherry ſhall give immediate permiſſion for the exhibition of ſuch liſt. And the Commercial Reſident that tranſmit a copy of ſuch liſt in the native languages, once in every three months, to the Collector of the diſtrict.

VII.

Weavers, unindebted and unengaged to the Company, with whom compulſion is uſed to enter into their employ, or who have their names improperly inſerted in the liſt directed in the laſt Article, thoſe who are not paid for their cloths, according to the engagements made between them and the Company's repreſentatives, or do not obtain in due time a fair ſettlement of accounts, and all ſuch as ſuffer unjuſt exactions from Peons put over them, may complain, in the firſt place, where the injury is offered by native Agents, to the Commercial Reſident or Contractor under whom they act; if the injury

is offered by the Reſident or Contractor himſelf, or if he gives not ſpeedy redreſs againſt his Agents, complaint may then be made to the Collector of the diſtrict in which ſuch weavers reſide, and the ſaid Collector is hereby required to enter into an intelligent and impartial examination of ſuch complaint, and if he judges it to be in any reſpect well founded or deſerving of further inquiry, to repreſent the ſame to the Commercial Reſident, or Contractor, to receive his anſwer, (which ſuch Reſident or Contractor, ſhall on no pretence refuſe;) and if ſatisfaction is not thereby accorded to the complainant, but, on the contrary, the matter of complaint denied, and the Collector is not convinced by the facts and reaſons advanced for ſuch denial, he ſhall tranſmit the ſaid complaint, with all his proceedings upon it, to the Governor General in Council, who will thereupon judge of the conduct of the Reſident or Contractor accuſed, and the weavers, if diſſatisfied with the conduct of the Collector, may themſelves repreſent their caſe at the Preſidency, by a delegation of not more than ten of their number. But, in order that encouragement may not hence be taken for falſe or frivolous complaints, in the view of eluding the performance of fair agreements, or of procuring improper advantages, all manufacturers are hereby informed, that complaints which are found to be really groundleſs will be duly puniſhed; and of this Collectors are alſo deſired to take proper notice.

VIII.

That the weaver ſhall be ſubject to pay ſuch profeſſional taxes as were eſtabliſhed previous to the Bengal year 1170, included under the general head of Muttearif Jumma, and if any increaſe have taken place on them ſince that period, ſuch increaſe ſhall be aboliſhed, and ſhall not be exacted. That in order to prevent any new impoſition on the weavers, the Collectors be required to prepare a table of rates of the profeſſional taxes eſtabliſhed before the Bengal year 1179, and that copies thereof be publiſhed at the head Cutcherries of each diſtrict, and be tranſmitted to the Commercial Reſidents for their information. That no weaver ſhall be ſubjected to any arbitrary occaſional demand of Zemindars, farmers, or Collectors on any account whatſoever, but only (according to the common right of Ryots) to the rent ſpecified in his Pottah, which ſhall be framed agreeably to the ſtated eſtabliſhed dues of Government.

IX.

No weaver, Gomaſtah, or other ſervant employed by the Company on their inveſtment, ſhall be confined by any Zemindar, or other officer engaged in the collection of the revenues, nor be put under Peons by them, nor ſummoned to their Cutcherries on any pretence whatſoever, (except in the caſe and manner hereafter deſcribed) but on any cauſe of complaint againſt a weaver, or other perſon employed about the Company's inveſtment for non-payment of rent, the Collector, or farmer, ſhall firſt ſtate his claim in

writing to the Company's Commercial repreſentative, who, if the weaver, or ſuch other perſon, be then actually employed by the Company, ſhall cauſe him to ſatisfy the real debt, or may do ſo himſelf, and ſtop it by Kiſtbundy from his future advances, ſo that his labor on the Company's inveſtment be not interrupted; but if the Commercial repreſentative does not thus afford ſatisfaction for the real debt, the Collector ſhall iſſue his ſummons to the party, and ſend it to be ſerved by the Commercial Reſident, who ſhall cauſe the party to appear on the day appointed, either in perſon or by Vakeel; and ſhould it in any caſe be found at length neceſſary to diſtrain for juſt rent, the cloth, thread, or advances in his hands, belonging to the Company, ſhall be reſtored.

X.

Weavers, or other perſons employed in the Company's inveſtment, ſhall not be liable to ſeizure, confinement, or removal, by the officers of the Dewannee Courts; nor ſhall ſummons from thoſe Courts be in any caſe ſerved by the Peons or officers thereof, upon ſuch weavers or other perſons ſo employed: but the ſummons ſhall be tranſmitted by the Judge to the Commercial Reſident or repreſentative, with a copy of the complaint on which it is grounded, and he ſhall compel an appearance on the day appointed, by Vakeel or in perſon, and in the mean time tranſmit to the Judge all the information he is poſſeſſed of on the ſubject of the complaint.

Perſons, making complaints in the Dewannee Adaulut, are to declare, whether thoſe againſt whom they complain are employed in the Company's inveſtment; and if the Judge, from want of information, ſummon directly by his own officers, weavers or others who are actually ſo employed, execution of the ſummons may be ſtayed by the Commercial Reſident, until he ſhall have repreſented the caſe to the Judge, who ſhall generally inſtruct his officers to delay, in ſuch caſes on the interpoſition of the Commercial Reſident, and ſhall on ſuch repreſentation, withdraw his officers, and receive obedience to his ſummons, through the order of the Commercial Reſident. But the Reſident is to be made anſwerable for any cover he may thus give to perſons not in the Company's employ.

The officers of the Foujedarry Courts, and ſummons from thence, are to be regulated exactly in the ſame manner, in reſpect to weavers and other perſons employed on the inveſtment, excepting in capital or felonious caſes, when warrants may be ſerved directly on the offenders by the Foujedarry officers; notification thereof being at the ſame time ſent to the Commercial Reſident.

XI.

Collectors, Zemindars, farmers and proprietors of lands, are not to hinder Commercial Agents from acceſs to weavers, in order to treat with them about the Company's buſi-

neſs; they are not to uſe any arts, menaces, or puniſhment, to deter weavers from accepting the Company's advances; nor are they to take occaſion from the authority they have in the diſtricts, to behave with diſreſpect to the Company's Commercial ſervants, which might injure their buſineſs and have other ill conſequences; neither are they to act as if there was any juſt oppoſition between the Departments of Revenue and Commerce, but, on application from the Commercial Agent, to afford every aſſiſtance neceſſary for the protection of the weavers, and the ſecurity of the inveſtment, conformably to the foregoing Regulations. Perſons offending againſt this rule muſt expect to incur the diſpleaſure of Government.

XII.

On the ſame principle eſtabliſhed in Article III, for weavers engaged to the Company, it is reſolved, that weavers employed at the ſame time by more than one foreign or private Agent, ſhall be compelled to deliver firſt to the previous Contractor, and afterwards to others, according to priority of engagements; and herein individual rights will correſpond with the extenſion of commerce, which is to be promoted, not ſo much by contending for the labor of the ſame man, though of ſuperior ſkill, as by bringing more hands, though new and leſs improved, into employ.

XIII.

Weavers who have reaſon to complain of compulſion, or injuſtice, from other traders towards them, are, if employed by the Company, to have recourſe for protection to the Commercial Reſident; if not ſo employed, to the Collector or Dewannee Adaulut; and all merchants obſtructed in their fair trade, conducted in conformity to the foregoing Regulations, are to have the ſame recourſe as is ſtated in this Article, and in Article VII.

XIV.

All perſons whatever employed for the Company in the diſtricts, either in the Revenue, or in the Commercial, or Judicial line, are required to treat the manufacturers and fair traders, conforming to the foregoing Regulations, with kindneſs and encouragement.

SUPPLEMENTARY REGULATION.

XV.

It is to be underſtood, and is accordingly hereby ordered, that theſe Regulations for the Company's weavers, are to extend, in their principles and meaning, to the manufacturers and other perſons employed in the proviſion of raw ſilk, and of the other Articles of the Company's inveſtment, provided within their own territories.

Additional Supplement *to the* Regulations, *for* Weavers, *passed on the* 30*th October* 1789.

XVI.

Weavers poſſeſſed of more than one loom, and entertaining one or more workmen, ſhall be ſubject to the following penalties on failing to deliver cloth at the ſtipulated period expreſſed in a written agreement.

To the Company, for every piece of cloth not delivered according to the agreement, thirty-five per cent on the ſtipulated price of ſuch cloth, beſides the re-payment of money advanced for the ſame.

To individuals, in the like caſes and circumſtances, twenty per cent, beſides the repayment of the advance.

XVII.

The penalties incurred either to the Company or to individuals ſhall be ſued for, and recoverable in the Dewannee Adaulut, and in each caſe the agreement with the weaver, and the failure in his deliveries is to be therein proved But deciſions in favor of private merchants or other individuals againſt weavers, who were in the employ of the Company at the time they entered with ſuch private merchants or individuals, into the agreements on which they are ſued (they having been ſo employed being proved by the liſts of Company's weavers, publiſhed at the Cutcherries and at the Dewannee Court as hereafter propoſed, as well as by the dates of the reſpective agreements and tranſactions conſequent of them) ſhall be made with a ſaving to the Company of their claims on ſuch weavers, which claims alſo are to be proved in Court. And, that this Regulation may be carried into effect, liſts of the Company's weavers, formed as the ſixth Article of the Regulations of 1787 directs, ſhall be regularly delivered in to the Regiſter of the Dewannee Adaulut of the diſtrict, and, b fore execution follows at the ſuit of an individual againſt any weaver in that liſt, the Company's Commercial Agent ſhall be deſired to ſtate whether ſuch weaver was in the employ of the Company when the agreement, on which he is caſt, was made, as alſo whether the Company have any, and what demand upon him, and to make proof of the ſame; which being immediately ſatisfied or ſecured, the ſum decreed againſt him in favor of the individual ſhall next be made good from his effects

XVIII.

Penalties recovered from the Company ſhall paſs through the accounts of the Aurungs to which the weavers reſpectively belong, and thence into the accounts of the head factory, in which they are to be entered under the head of penalties. And in order to enable the Reſident to judge accurately whether a penalty is juſtly incurred or not, the

Gomaſtah of each Aurung ſhall furniſh him at the beginning of the ſeaſon, or whenever a weaver engages, with an authenticated copy of the agreement made with ſuch weaver, and a general account of the engagements of all the weavers of his Aurung; and, every month afterwards, with a ſtate of the alterations in the liſt of weavers employed, a ſtate of defaulters and penalties incurred; and failing herein he ſhall be himſelf anſwerable.

XIX.

Gomaſtahs, Deedars, Mokeems, and all native ſervants, of what deſcription ſoever, employed at the Company's factories or Aurungs, in the proviſion of their inveſtment, guilty of changing the Company's cloths, accepting money from individuals for abetting or conniving at the alienation of them by the weavers, writing falſe balances in the Company's accounts, embezzling otherwiſe the property entruſted to them, or exacting money in any ſhape from weavers to whom advances are made, ſhall on conviction in the Foujedarry Court, forfeit double the amount which they ſhall have embezzled, alienated, or exacted, ſhall be ſubject to an impriſonment of twelve months, and declared for ever incapable of ſerving the Company in any capacity.

The following REGULATIONS *have been paſſed for the conduct of* COMMERCIAL AGENTS, *in carrying on* TRADE *for themſelves.*

1ſt. The Commercial Agent ſhall ſupply or enſure the Company's demand for goods as far as the ability of his Aurung will go, before he provide any for himſelf.

2d He ſhall carefully and avowedly diſtinguiſh to the manufacturers between the Company's proviſion and his own.

3d. He ſhall give them the price for which they chuſe to deal with him, without making the Company's prices a ſtandard for his own trade.

4th. He ſhall not make uſe of any influence he may poſſeſs, as the Company's repreſentative, to induce the manufacturers to work for him in preference to other dealers.

5th He ſhall be ſubject to the ſame Regulations in caſe of diſputes with manufacturers, that other private traders are ſubject to.

6th. He ſhall not take any commiſſion for Agents or others; but deal merely on his own ſtock as a merchant.

7th. He ſhall not carry on any trade in his Aurung, directly or indirectly in the name of any other perſon.

8th. Whatever goods he provides of the produce of the Aurung, where he is ſtationed, ſhall not be ſold there, nor ſent to any foreign ſettlement, but conſigned to ſome other

place, and if brought to Calcutta, or ſent by Manjee to the upper Provinces, ſhall be entered in his name in the Cuſtom-houſe books.

9th. He ſhall ſtate to the Board of Trade by the 15th of December in every year, the groſs amount of the money inveſted or to be inveſted by him on his own account, as nearly as he can judge of the ſame, from the 1ſt May preceding to the 30th April following; and the Board of Trade ſhall hereupon communicate to the Governor General in Council any remarks that may to them appear proper.

This Regulation is not meant to concern the private inveſtments of the Commercial Reſidents for 1789, or any year preceding it. The firſt ſtatement, required to be delivered in, is to be made by the 15th December 1790.

REGULATIONS FOR INVALIDED SEPOYS.

EXTRACTS *from* CONSULTATIONS *of* 18*th February* 1789.

The Governor General in Council, deſirous to relieve the Company from a part of the expenſe of the native invalided eſtabliſhment at Monghyr and to afford a ſatisfactory proviſion for the objects of it, has reſolved,

Firſt. That ſuch invalid native troops now at Monghyr, and all who ſhall hereafter be invalided, as may be deſirous of receiving grants of waſte land in lieu of the pay allowed them by Government, upon taking a final diſcharge from the ſervice, ſhall be entitled to the ſame in the following proportions according to their rank.

Commandants of Infantry and Ruſſuldars of Cavalry,	600	*Begas.*
Subadars of ditto, and 1ſt Jemmadars of ditto,	400	
Jemmadars of ditto, and 2d Jemmadars of ditto,	200	
Havildars of ditto, and 1ſt Duffadars of ditto,	120	
Naicks of ditto, and 2d ditto ditto,	100	
Sepoys and Troopers	80	

Lascars.

Serangs as Jammadars,

Tindals as Havildars,

Coſſobs as Naicks,

Lascars as Sepoys.

Second. That the lands be granted either in Sircar Behar, Shahabad or Rotas, or the Zemindarry of Benares, and in ſuch villages as each individual may point out.

Third. That ſhould any objection occur to the Reſident at Benares or the Collectors of the above diſtricts, to granting waſte land to any individual in the village which he may fix upon, they aſſot lands to him in ſome of the villages moſt contiguous thereto, and to the granting of which no objection exiſts.

Fourth. That waſte lands be granted to the invalids in other diſtricts excluſive of thoſe above mentioned, in ſuch particular inſtances as the Governor General in Council may think proper.

Fifth. That the Reſident at Benares and the Collectors of Behar and Shahabad be directed to make it a rule to ſelect as far as may be in their power ſuch tracts of waſte land for the invalids as may be brought into cultivation with the leaſt difficulty, and at the ſmalleſt expenſe, and the quantity of which may be ſuch as to afford a produce adequate to the labour of the tillage, and that they be contiguous to parts of the country now in a ſtate of cultivation, in order that the invalids may have an opportunity of procuring with greater facility ſuch aſſiſtance as may be requiſite for enabling them to eſtabliſh themſelves upon their lands.

Sixth. That the original grantee ſhall hold the lands allotted to him rent-free for life, without being ſubject to any tax or demand whatever.

Seventh. That the Sunnuds for the lands ſo granted in the Zemindarry of Benares be made out under the ſeal of the Rajah, with a Perwannah of confirmation under the ſeal and ſignature of the Reſident, and thoſe in Behar, Rotas and Shahabad under the official ſeal and ſignature of the Collectors of thoſe diſtricts; and that the Reſident and Collectors above mentioned be reſpectively required to keep a regiſter of all ſuch grants, and that the former be directed to tranſmit copies thereof annually to the Governor General in Council, and the latter to the Board of Revenue.

Eighth. That upon the death of the original grantee, his lands be continued to his heirs at law at a fixed Jumma, to be aſſeſſed in Benares by the Reſident with the conſent of the Rajah, and by the Collectors aforeſaid in their reſpective diſtricts, upon an eſtimate of the actual net produce after deducting one tenth therefrom to be annually paid to the Zemindar as Maliconnah by the Mocurrery holder, who ſhall thenceforward be conſidered upon the ſame footing as other perſons in the Province holding lands at a fixed rent.

9th. That the Reſident and the Collectors abovementioned having fixed the rent payable to Government, and the amount of the Zemindar's Maliconnah as directed in the preceding article, ſhall cauſe Mocurrery Sunnuds to be drawn out and authenticated in the mode preſcribed in the ſeventh article, in the name of the heirs of the deceaſed who ſhall accordingly hold the ſaid lands in perpetuity ſo long as they ſhall continue to diſcharge the rent and Maliconnah with which they may be ſo aſſeſſed.

10*th* That if the original grantee ſhall die within five years from the date of his grant his heirs ſhall continue to hold the lands rent-free until the ſaid period of five years from the date of ſuch grant ſhall have elapſed, at the expiration of which the lands ſhall be aſſeſſed and held by them as directed in the two preceding articles.

11*th*. That ſhould any of the Mocurrerydars aforeſaid omit to diſcharge the amount of Government's rent, and the Maliconnah payable to the Zemindar, their Mocurrery leaſes with the rights and privileges thereto annexed be ſold to the beſt bidder for the liquidation of the amount of the demands againſt them.

12*th*. And in order that the men who may hereafter prefer this proviſion to the Boglepoor Eſtabliſhment, may be the better enabled to provide themſelves with the implements of huſbandry, and means of cultivating the lands aſſigned to them, it has been further agreed to grant to the ſeveral ranks a gratuity in money in the following proportions.

To each rank entitled to receive,	-	600	Begas	-	150	St.	Rs.
ditto,	- ditto,	-	-	-	400	ditto,	-	100	-	ditto,
ditto,	- ditto,	-	-	-	200	ditto,	-	50	-	ditto,
ditto,	- ditto,	-	-	-	120	ditto,	-	30	-	ditto,
ditto,	- ditto,	-	-	-	100	ditto,	-	20	-	ditto,
ditto,	- ditto,	-	-	-	80	ditto,	-	15	-	ditto.

The above gratuity is to be paid to the men by the Collector when they ſhall have reſpectively joined and been put in poſſeſſion of their lands, upon certificates from the public officer at Monghyr, or the Commanding Officer of the corps from which they are ſent, atteſting their claim thereto; which certificates, the men are to be individually furniſhed with.

The Collectors and Reſident of Benares are directed, at the end of every month, to tranſmit to the Pay Maſter of artillery and garriſons at the Preſidency, a liſt of the men to whom the gratuity has been paid in the courſe of the preceding month accompanied by each man's original certificate as a voucher. And the Pay Maſter of artillery and garriſons ſhall, immediately on receipt of ſuch liſts and vouchers, return to the Collector or Reſident a draft in favor of the Collector or Reſident on the military Pay maſter General for the amount of ſuch gratuity, which the Collector or Reſident with take credit for in his next month's Treaſury account: but they are on no pretence to introduce theſe payments in their Treaſury account until they ſhall have received this voucher to produce for them. They may however ſtate in a memorandum at the foot of the account for the month

in which the advances are made, the amount which their balance is apparently increaſed by this reſtriction.

EXTRACT *of* CONSULTATIONS, *24th December* 1790.

EXTRACT *of a* LETTER *to the* BOARD OF REVENUE *dated 24th December* 1790.

To obviate any objections which the landholders may entertain to the allotment of waſte lands to invalids, we direct, that the whole amount of the fixed Jumma to be aſſeſſed upon ſuch lands after the death of the original grantee agreeable to the Regulations of the 18th February 1789, be declared to belong to the proprietor of the village in which ſuch lands may be ſituated, and that he be not ſubject to any additional demand on the part of Government on account thereof during the term of the engagements that may exiſt between him and Government at the time that the lands ſo granted may become liable to the payment of ſuch Jumma.

SUPPLEMENT.

SUPPLEMENT.

The following REGULATIONS, *having been omitted in their proper places, are now inserted in a Supplement.*

JUDICIAL REGULATIONS.

REGULATION, *recorded on the 26th August* 1791.

THE reſtrictions on intereſt, contained in the Judicial Regulations, extend to loans of all deſcriptions.

REGULATION, *recorded on the 21ſt October* 1791.

Ordered, the Magiſtrate of Behar be informed, that he is to try all cauſes reſpecting ſlaves, by the eſtabliſhed laws of the country.

RULE *for the guidance of the Courts of* DEWANNEE ADAULUT, *in* SUITS *reſpecting the exaction of unauthorized* DUTIES, *paſſed by the* GOVERNOR GENERAL *in* COUNCIL, *in the* REVENUE DEPARTMENT, *on the 27th April*, 1792.

Perſons exacting taxes or duties of any denomination, contrary to the Sayer Regulations of 11th June 1790; whether as principals or acceſſaries, having, by the 12th Article of the Regulations of that date, been declared liable to proſecution in the Courts of Dewannee Adaulut, the Judges of the ſaid Courts are required to receive all plaints preferred on account of ſuch exactions; to hear and determine the ſame within ten days from the date of filing the plaint, or as ſoon afterwards as the attendance of the neceſſary evidence may admit; and on proof, to decree a refund of the amount exacted, with damages equal to double the amount, beſides all neceſſary coſts incurred by the plaintiff in the proſecution; as well as a heavy fine to Government, proportionate to the circumſtances of the offender, which decree ſhall be enforced by them by the proceſs preſcribed in other caſes: and if the property of the offender, which ſhall be

applied in the firſt inſtance to make good the damages and coſts adjudged to the party injured, be in any inſtance inſufficient to make good the fine to Government, the Courts of Dewannee Adaulut may order the fine to be commuted to impriſonment for ſuch period, as on conſideration of the caſe, may appear to them adequate to the offence.

FOUJEDARY REGULATIONS.

NOTIFICATION, *published on the 7th April*, 1786.

The Honorable the Governor General and Council, having received information that a practice has gradually crept in amongſt the Banians, and other rich men of Calcutta, of dreſſing ſome of their ſervants in, or nearly in, the uniform of the Honorable Company's Sepoys and Laſcars; that in this dreſs, they become the terror of the common people, and often commit moſt oppreſſive acts, for which the Honorable Company's Sepoys and Laſcars bear the odium.

Notice is therefore hereby given, that the Honorable the Governor General and Council forbid this practice in future.

REGULATIONS, *reſpecting the* ADMINISTRATION *of* JUSTICE *to the ſubjects of* FRANCE, *recorded on the 27th August* 1788.

That the following Clauſe, in the twelfth Article of the Regulations for the adminiſtration of Juſtice in the Foujedarry or Criminal Courts, be revoked, as far as reſpects the ſubjects of France, who are to be dealt with as is preſcribed concerning Britiſh ſubjects, in the former part of the ſame article. All Europeans, not Britiſh ſubjects, are equally amenable with the natives to the authority of the Magiſtrate, within his own diſtrict, and to the Foujedarry Court to which they may be committed.* That the reſolution paſſed for repealing the Clauſe, in the caſe of French ſubjects, be communicated to the ſeveral Judges of Adauluts in the country.

ADVERTISEMENT, *dated 14th January* 1789.

Notice is hereby given, that all perſons whoſoever, (the Magiſtrates of diſtricts excepted) are prohibited from making uſe of, or conſtructing, boats of the following denominations and dimenſions, after the 1ſt of March next.

Luckhas forty to nine y Covids length, two and a half to four ditto breadth.

Je kars thirty to ſeventy ditto,—three and a half to five ditto.

Paunchways of Chandpoor carrying more than ten oars.

That the Magiſtrates of Jeſſore, Dacca Jelalpoor, Mymenſing, Chittagong, the Twenty-four Pergunnas, Hidgelee, Tumlook, Burdwan and Nuddea, have been directed to ſeize and confiſcate all boats, of the above deſcriptions, which may be found within the limits of their reſpective juriſdictions, after the period abovementioned.

That any Zemindar, allowing any boats of the foregoing deſcriptions to be built or repaired within the limits of the Zemindarry, (unleſs by a written order of the Magiſtrate of the diſtrict) ſhall forfeit to Government the village in which ſuch boats ſhall be proved to have been ſo built or repaired.

That any carpenter, blackſmith, or other artificers, engaging for, or employed in, the building or repairing of boats of the deſcriptions above ſpecified, (unleſs by the expreſs permiſſion of the Magiſtrate of the diſtrict) ſhall be committed to cloſe impriſonment in the Foujdarry Jail, for any period not above one month, or ſuffer corporal puniſhment not exceeding twenty ſtrokes with a rattan.

NOTIFICATION, *dated 26th May 1790.*

Notwithſtanding the prohibition of the Honorable the Governor General and Council, under date the 7th of April 1786, publiſhed in the Calcutta Gazette, againſt the practice in uſe amongſt the Banians, and other rich men of Calcutta, of dreſſing ſome of their ſervants in, or nearly in, the uniform of the Honorable Company's Sepoys and Laſcars, it is found, that this cuſtom ſtill prevails to a greater extent than formerly, not only in Calcutta, but in the interior parts of the country, to the great terror of the common people, to frequent exerciſe of unwarrantable power by the employers of ſuch ſervants, and to the commiſſion of acts of violence and oppreſſion by the perſons aſſuming this dreſs, the Governor General in Council, in order entirely to ſuppreſs an abuſe, which beſides the evils enumerated, brings odium on the Company's Sepoys and Laſcars, has formed the following articles of Regulation, and requires a ſtrict obedience to them from every perſon under the protection of this government.

1ſt. All perſons, Europeans and natives, within the Company's Provinces, which includes the diſtrict of Benares, (excepting the Vakeels from the native powers,) are poſitively forbid to dreſs any of their ſervants, either for the purpoſe of parade, or of buſineſs, in the uniform of the Honorable Company's Sepoys and Laſcars, or in dreſs ſo nearly approaching to that uniform, as to enable the perſons wearing it to impoſe themſelves on the country people for Sepoys and Laſcars.

2d. All natives, except thoſe actually in the military ſervice of the Company, or belonging to the Vakeels of the native powers, are forbid to wear a dreſs ſimilar to that mentioned.

3d. Collectors of diſtricts, Chiefs of factories, Commercial and Salt Agents, Magiſtrates, and other Company's ſervants, in official capacities, who are allowed eſtabliſhments of Peons and Pykes, or who have occaſion to employ perſons of that deſcription, are prohibited from putting them in a military dreſs.

4th. Native officers and Sepoys, excepting Subadars, Jemadars and Serangs, even though in the ſervice of the Company, who may temporarily reſide or have occaſion to travel in the interior parts of the country, unleſs employed on the public ſervice, are forbid to wear their uniform coats.

By the operation of the foregoing Articles, the uſe of a military dreſs will be confined to natives in the military ſervice of the Company (or to thoſe belonging to the native powers,) and in the interior parts of the country, to ſuch of them only, with the exception of the commiſſioned officers in the fourth Article, as may be employed on public duties; and to ſecure the full effect of theſe orders, the Military Commanding Officers of ſtations and of detachments in the interior parts of the country, Collectors of diſtricts, Reſidents and Magiſtrates, are hereby veſted with authority, and are required to deprive any man of a military dreſs, who ſhall preſume to wear one contrary to theſe Regulations, unleſs it ſhall appear that ſuch man is in the ſervice of the Company: in which caſe, if he be not employed upon duty, he is to be ſent to the corps to which he may belong, with a written complaint againſt him.

Military officers or other perſons, to whom eſcorts may be allowed when travelling through the country by land, or proceeding by water, are forbid to ſend Sepoys or Laſcars into the villages for the purpoſe of procuring any ſorts of proviſions or of preſſing Coolies and Dandees: every town and village, upon proper application to the chief perſon in it, will, in conſequence of inſtructions from the ſeveral Collectors to that end, furniſh ſuch aſſiſtance in the above points as they may be capable of affording, and by that means, render forcible and violent meaſures entirely unneceſſary.

REGULATION, *paſſed on the 25th February 1791.*

Agreed that the head Aſſiſtants to the ſeveral Collectors and the Regiſters to the Adawluts of the cities of Moorſhedabad, Patna and Dacca be empowered to act as Magiſtrates in the event of the indiſpoſition or abſence of the Magiſtrates and that they be required to take the following oath before the Magiſtrates.

I, A. B. entruſted with Foujedarry juriſdiction in the event of the abſence or indiſpoſition of the Magiſtrate do ſolemnly promiſe and ſwear, that, when the exerciſe of ſuch juriſdiction ſhall devolve to me in conſequence of the abſence or indiſpoſition of the Magiſtrate, I will exert my beſt abilities for the preſervation of the peace of the diſ-

tricts over which my authority ſhall in ſuch event extend; and will act with impartiality and integrity, neither exacting or receiving, directly or indirectly, any fee or reward in the execution of the duties ſo entruſted to my charge, other than ſuch as the orders of Government do or may authorize me to receive. So help me God.

RULES *for the guidance of the* MAGISTRATES, *passed by the* GOVERNOR GENERAL *in* COUNCIL, *on the 15th April* 1791.

The Magiſtrates are authorized to puniſh by fine, perſons convicted of the offences which they are empowered to hear and determine without reference to the Courts of Circuit, in caſes in which the impoſing a fine ſhall appear to them preferable to ſentencing the offender to corporal puniſhment or impriſonment, as authorized by the 6th Article of the Regulations paſſed on the 3d December 1790. In determining the amount of the fine, the Magiſtrate is to be guided by the rules and reſtrictions preſcribed for impoſing fines in the caſes ſpecified in the 7th Article of the abovementioned Regulations.

EXTRACT *of a* LETTER *from the* GOVERNOR GENERAL *in* COUNCIL, *on the 3d June* 1791.

We have reſolved, that, in future, all breaches of the peace ſhall be communicated by the Magiſtrates immediately to us, and have accordingly paſſed Regulations to that effect; we therefore direct, that the 69th and 70th Articles of the Regulations for the conduct of the Collectors paſſed on the 8th June 1787 be annulled.

REGULATION *recorded on the 3d June* 1791.

As the Zemindars in many parts of the country have been ſuſpected of conniving at robberies and murders, and of being parties concerned in ſuch offences, notwithſtanding the public Regulations by which they are bound to preſerve the peace of the country within the limits of their reſpective juriſdictions, the Magiſtrates are authorized, on information given, or on well grounded and general ſuſpicion, to cauſe ſuch Zemindars to be apprehended, and, on their apprehenſion, to publiſh advertiſements giving notice thereof and requiring all perſons who have been robbed within their reſpective Zemindarries to appear and give evidence; and in caſe evidence ſhould be produced, that the Zemindars be forthwith delivered over to the Courts of Circuit to take their trial: but in caſe no witneſs ſhould appear againſt them, that the Zemindars apprehended be releaſed either with or without ſecurity as circumſtances may warrant.

Whenever a Zemindar is proved guilty of having abetted, practiſed, or connived at murders or robberies, that none of his family ſhall be permitted to ſucceed to the Zemindarry without the expreſs permiſſion of the Governor General in Council.

REGULATIONS, *for the* ESTABLISHMENT *of a* POLICE TAX, *paſſed on the 7th December*, 1792.

The Board reſolve, that the Secretary be directed to write the following circular letter to the ſeveral Magiſtrates, inſerting in the 5th paragraph the ſum ordered to be raiſed in each diſtrict for defraying the expence of the Police eſtabliſhments.

To

MAGISTRATE *of*

SIR,

I am directed by the Governor General in Council to deſire your attention to the following inſtructions.

2*d*. Accompanying you will receive a copy of the Regulations, which have been paſſed by the Governor General in Council, for the eſtabliſhment of an uniform ſyſtem of Police, throughout the country.

3*d*. You will proceed to divide your diſtrict into Police juriſdictions, as directed in the firſt Article of the Regulations, and entertain the neceſſary eſtabliſhments for the protection of them, taking care that the expence does not exceed the amount hereafter mentioned.

4*th*. From a conſideration of the reports furniſhed by the ſeveral Magiſtrates, in conſequence of the orders tranſmitted to them on the 20th October 1790, the Governor General in Council has determined that the expence of the eſtabliſhments of Police officers ſhall be raiſed upon the merchants, traders, and ſhop-keepers reſiding in the towns, Bazars, and Gunges, both in the Malguzaree and rent-free lands, in the manner hereafter mentioned. His Lordſhip in Council is of opinion, that this expence may with equity be charged upon the above deſcriptions of people, as from having conſtant occaſion to tranſport their property from one part of the country to another, they are more immediately intereſted in the eſtabliſhment of an efficient Police, and as by the late general abolition of the Sayer collections they carry on their trade free of duty, and pay no immediate tax whatever to the ſtate.

5*th*. The expence of the neceſſary eſtabliſhments of officers in your diſtrict is eſtimated at Rupees per month. His Lordſhip in Council conceives that this ſum may be raiſed upon the merchants, traders, and ſhop-keepers, without its operating as a

burden upon them, as the ſame deſcriptions of people in other diſtricts have voluntarily offered to contribute a proportionate ſum. It is not meant, however, that the amount which you are directed to raiſe is to be looked upon as a voluntary contribution; on the contrary, it is to be conſidered as a tax impoſed by the authority of Government, and to be levied accordingly.

6th. With reſpect to the aſſeſſment of the tax, you will firſt adjuſt the amount that is to be levied on each town, Gunge and Bazar, and afterwards ſettle the manner in which that amount is to be raiſed on the merchants, traders, and ſhop-keepers reſiding therein.

7th. The ſum to be aſſeſſed on each town, Gunge and Bazar, is to be in proportion to the annual amount of the Sayer collections formerly levied in them. The Jumma on which the deductions and compenſations have been granted to the landholders on account of the abolition of the Sayer is to be taken as the ſtandard of theſe annual collections. The Governor General in Council is of opinion that theſe collections form the beſt criterion for judging the extent of the trade carried on in the ſeveral towns, Gunges and Bazars, and conſequently of the proportion of the whole expence of the Police eſtabliſhments of your diſtrict which the merchants, traders, and ſhop-keepers reſiding in each town, Gunge, and Bazar ought to defray: but ſhould any qualification of this rule occur to you, which would in your opinion render the aſſeſſment more equal, you will ſubmit it for the conſideration of the Board. Agreeably to the above principle, the amount to be aſſeſſed on each town, Gunge, and Bazar in your diſtrict will be calculated as follows. As the total of the former annual Sayer collections is to the total of the ſum to be raiſed for the expence of the Police of the whole of your Collectorſhip, ſo is the amount of the former annual Sayer collections of each town, Gunge, and Bazar to the ſum to be now aſſeſſed upon it.

8th. As no collections of the nature of thoſe now directed to be levied, can be made from Hauts held in open places, the Jumma of them is of courſe to be excluded from the calculation.

9th. With reſpect to the mode of levying the ſum aſſeſſed on each town, Gunge, and Bazar, upon the merchants, traders, and ſhop-keepers reſiding therein, the Board conceive that it may be raiſed by a tax on their ware-houſes or ſhops, and in ſome places by aſſeſſing a ſpecific ſum upon the different deſcriptions of merchants, traders, and ſhop-keepers. As however the amount to be raiſed upon each town, Gunge, and Bazar will not be conſiderable, and the Governor General in Council being deſirous that it ſhould be levied in whichever of the above modes may be moſt agreeable to thoſe by whom it is to be paid, he directs that you will adviſe with the principal merchants, traders, and ſhop-keepers in each town, Gunge, and Bazar, and adopt whichever of the

above modes of raiſing the money they may think preferable (unleſs it ſhall appear to you objectionable), and that you will alſo regulate in concert with them the rates of aſſeſſment to be paid by the merchants, traders, and ſhop-keepers, in the towns, Gunges, and Bazars in which they may reſpectively reſide.

10*th*. When you have ſettled the amount to be aſſeſſed on each town, Gunge, and Bazar, and the manner in which it is to be raiſed, you will commit the collection of it to two or more of the principal merchants, traders, or ſhop-keepers in each town, Bazar, or Gunge, delivering to them a writing under your official ſeal and ſignature, ſpecifying the total amount which they are to collect from their reſpective towns, Gunges, or Bazars, and particularizing the rates of the tax, and the amount to be paid by the ſeveral deſcriptions of merchants, traders, and ſhop-keepers, together with the periods of payment. This writing will ſerve as an authority for collecting the tax, to thoſe who may be appointed to levy it, at the ſame time that it will be a check upon their committing any abuſe in the diſcharge of their truſt.

11*th*. You will be particularly careful to aſſure the merchants, traders, and ſhop-keepers, that the ſum directed to be raiſed upon them will be applied ſolely to the purpoſe of defraying the charges of the Police of the diſtrict.

12*th*. Should you be of opinion, after due inquiry, that the raiſing the whole of the ſum above directed, would operate as a heavy burden upon the merchants and traders, you will ſtate at large the grounds of this opinion to the Governor General in Council; and at the ſame time inform him what ſum you think can be raiſed without inconvenience to the perſons abovementioned.

13*th*. Should you find the ſum, which you are directed to raiſe, more than ſufficient for defraying the expenſe of the eſtabliſhments neceſſary for the protection of your diſtrict, agreeably to the plan preſcribed, you will aſſeſs on the towns, Gunges, and Bazars, ſuch ſum only as may be ſufficient for paying the requiſite eſtabliſhments.

14*th*. The Governor General in Council is of opinion, that the eſtabliſhment of the Police juriſdictions in general ſhould conſiſt of a Darogah, a Jematdar, ten Burkundoſſes, and a Mohurir. An additional number of Burkundoſſes, to be entertained, if neceſſary, in the juriſdictions in which any large towns, Gunges, or Bazars may be ſituated. That the Darogahs, in general, ſhould be allowed twenty-five Rupees per month, and thoſe who may have the charge of the larger towns, Bazars, or Gunges, thirty Rupees per month, beſides five Rupees per month for a Cutcherry, ſtationary, and other contingencies. The Jematdars eight Rupees, the Burkundoſſes four Rupees, and the Mohurirs five Rupees per month each. Should any alteration in the eſtabliſhments

or ſalaries of the officers appear to you adviſable, you will ſubmit it for the conſideration of his Lordſhip in Council.

15*th*. When you have ſettled the amount to be levied on each town, Gunge, and Bazar, the mode in which it is to be raiſed, and the eſtabliſhment for each juriſdiction, you will ſubmit the detail of the arrangements to the Board, in the manner preſcribed in the annexed form; and when the ſame ſhall have been approved, no variation is to be made either in the ſum aſſeſſed upon each town, Bazar, or Gunge, or in the mode of raiſing it from the merchants, traders, and ſhop-keepers, without the previous ſanction of the Governor General in Council.

16. It being eſſentially neceſſary for the peace and proſperity of the country that a Police ſhould be eſtabliſhed without delay, and as ſome time may elapſe before the mode of raiſing the amount aſſeſſed on each town, Gunge, and Bazar, can be finally determined, the Governor General in Council deſires that you will proceed to divide your diſtricts into Police juriſdictions, and to entertain the neceſſary eſtabliſhments of officers for the protection of them immediately; and in the event of the collections which may be made from the different towns, Gunges, and Bazars, within the firſt month after the officers ſhall have been entertained, not proving ſufficient to defray their ſalary for that month, that you will pay the deficiency from your treaſury, reporting the ſum which you may ſo diſburſe to the Board.

17*th*. You will report whether the landholders in your diſtrict have been allowed any deductions on their Jumma, or are in the receipt of any money allowances, or hold any lands, either free of, or at a reduced revenue, for the purpoſes of keeping up Tanahdars, or other Police officers, and alſo your opinion whether the whole or any and what part of ſuch deductions, allowances, or produce of ſuch lands may with equity be brought to the public account in conſideration of the landholders being now prohibited from keeping up ſuch eſtabliſhment and Government having taken upon itſelf the charge of the Police.

18*th*. The Governor General in Council deſires, that you will proceed to carry the above arrangements into execution upon the receipt of this letter, and that you will make it an object of your particular attention to complete them with the leaſt poſſible delay.

19*th*. His Lordſhip in Council further deſires me to inform you, that he ſhall expect an early report of the progreſs which you may make in carrying theſe orders into effect.

No. 1.

LIST *of the* POLICE JURISDICTIONS, *and* STATEMENT *of the* ESTABLISHMENTS *entertained for the protection of them, in the* COLLECTORSHIP *of*

Names & Numbers of the Tannahs.	*Names of the Pergunnah, or Pergunahs, comprized in the jurisdiction.*	*Computed extent of the square of each jurisdiction.*	ESTABLISHMENT. *Name of the Dárogah.*	*Jemadar.*	*Burkundazes*	*Mohurrirs*
No. 1, Govindpoor	Sarungpoor, &c.	Nine Cos.	Mahomed Ally.	1	10	1

No. 2.

PARTICULARS *of the* TAXES *levied for defraying the expence of the* POLICE ESTABLISMENTS *in the* COLLECTORSHIP *of*

Names of the Towns, Gunges, or Bazars, in which the Taxes are levied.	*Names of the Merchants, Traders, or Shop-keepers to whom the levying of the Tax is committed.*	*Annual amount levied on each Town, Bazar or Gunge.*	*Explanation of the manner in which the Tax in each Town, Bazar or Gunge, is levied, by what descriptions of persons it is paid, and the rates of assessment.*
Govindpoor.	Saheb Ram. Bug Raje.	Rupees 300.	

REGULATIONS *for the* POLICE *of the* CITIES *of* MOORSHEDABAD, DACCA *and* PATNA.

The preceding Regulations for the Police of the Collectorships have no application to the cities of Moorshedabad, Dacca and Patna.

The establishments allowed for the Police of these cities are specified in the Regulations of the 3d December 1790, and the expence of them is defrayed by Government. They are obviously inadequate to the protection of these populous cities, and consequently robberies and other disorders are frequently committed in them.

The Board accordingly resolve that the Magistrates of these cities be directed to carry the following arrangements and instructions, into execution.

1*st*. To divide the cities and the places adjacent which are subject to their authority

into wards or jurisdictions, and to appoint a Darogah to superintend the Police of each ward.

2*d*. The Darogahs to be directed to report every morning to the Cutwaul the occurrences of the night, and to bring before him any thieves or robbers, or persons charged with or suspected of criminal offences whom they have apprehended the preceding night. The Cutwauls to carry the persons so apprehended before the Magistrate without delay.

3*d*. A Mohullahdar and Mohullahdarin to be appointed to each ward with directions to give notice to the Darogah of the ward of any robbers or offenders who may be concealed or have taken up their residence in their respective wards.

4*th*. That they state what addition to their present establishment of officers will be necessary for guarding the different wards effectually, and that they assess the amount upon the merchants, traders, and shop-keepers of each ward, consulting with some of the principal of them as to the best mode of raising the sum required.

5*th*. That previous, however, to levying the assessment directed in the preceding Article, they report the amount required to be raised in each ward, with the mode in which they would recommend it to be levied, for the approbation of the Board.

6*th*. That the collection of the sum which may be assessed upon each ward, be committed to one of the principal merchants residing therein.

7*th*. That as soon as they shall have divided the city and the places adjacent into wards or jurisdictions as directed in the 1st Article, and the Board shall have determined upon the establishments to be entertained and the assessment to be levied, they transmit the particulars of the arrangement in the following form.

STATEMENT *of the* POLICE ESTABLISHMENTS *for the protection of the* CITY *of*

Names of the Mohullas, or Wards.	*Extent of each Ward.*	*Names of the Darogahs.*	*Establishment of Officers in each Ward.*			*Expences of the Establishment in each Ward.*
			Darogah.	Peons and Burkundosses.	One Mohullahdar & Mohullahdarin.	

STATEMENT *of the Sums raised on the* MERCHANTS, TRADERS, *and* SHOPKEEPERS, *in the* CITY *of* *for defraying the charges of the* POLICE.

Names of the jurisdiction or Ward.	*Name of the Merchant or Shopkeeper, to whom the collection of the Tax is committed.*	*Amount levied in each Ward.*	*Explanation of the manner in which the money is collected, by what description of persons paid, and the rate of assessment.*

REVENUE REGULATIONS.

REGULATION *passed on 5th June,* 1781.

EXTRACT *of a* LETTER *from the* GOVERNOR GENERAL *and* COUNCIL *to the* BOARD *of* REVENUE.

We disapprove in general of the practice alluded to, of employing Mohuſſils in the collections of the revenues; but as caſes may ſometimes happen, in which they may be found abſolutely neceſſary to inforce the juſt demands of Government, we deſire you will iſſue circular orders to the different Chiefs and Collectors, holding authority under you, requiring them, in all ſuch caſes, to furniſh the Mohuſſils with a writ or order under their ſeal and ſignature; and you will alſo cauſe public notice to be given, that any perſon, acting without ſuch warrant, ſhall be liable to puniſhment on complaint made to any of the Judges of the Dewannee Courts.

Further REGULATION, *passed on the 28th June* 1807.

Extract of a LETTER *from the* BOARD *of* REVENUE.

It appears, that doubts are entertained whether theſe orders do not prevent the Zemindars, Chowdries and Talookdars from employing Mohuſſu's without being in every inſtance expreſsly authorized by warrants under the ſeal and ſignature of the Engliſh Chief or Collector.

We propoſe, therefore, with your approbation, to obviate any miſconſtruction, by iſſuing a further explanatory order, declaring that it is the intention of Government that all Chief or European Collectors, and all Zemindars, Talookdars, Chowdries, farmers, Mutahuds, Aumils, Sezawuls, Emamdars, Tahſeeldars or others employed,

under any denomination, in the collection of the revenues, in every caſe where they may find it neceſſary to employ Mohuſſuls, ſhall furniſh the perſons employed with a writ or order under their ſeal and ſignature.

REGULATIONS *for rent-free* LANDS, *recorded in the* PROCEEDINGS *of the 26th Auguſt* 1783.

1ſt. That in all inſtances where the proprietors of rent-free lands have given notice to the office, that they had Sunnuds to produce, previous to the limited periods, their Sunnuds be received in the ſame manner as if they had produced them before the expiration of the time preſcribed.

2d. That the reaſons aſſigned by the proprietors of rent-free lands in excuſe for not complying with the Regulations of the adverriſement, be open to conſideration; and that their Sunnuds be received in all caſes where thoſe reaſons are deemed ſubſtantial, and well founded.

3d. That where the titles to land are clear and well founded, the Sunnuds be confirmed, notwithſtanding the proprietors may have neglected to comply with the requiſitions of the adverriſement, or to have given previous notice, and although they may be unable to aſſign ſubſtantial reaſons for their neglect; but that for ſuch neglect, they be ſubjected to a fine in the following proportions.

4th. Of one fourth of the annual rent of the lands of ſuch perſons as have not delivered in their Sunnuds before the 1ſt Maug 1189.

5th. Of one half the annual rent of the lands of ſuch perſons as have not delivered in their Sunnuds by the end of Chyte.

6th. Of three fourths of the annual produce of lands, the Sunnuds for which have not been delivered in before the 1ſt Jeyte 1190 B. S.

7th. And of the whole annual produce of ſuch lands for one year, the Sunnuds of which have been delivered after the 1ſt Jeyte above.

8th That all lands which are fairly and bonâ fide aſſigned and applied to charitable and religious uſes, not exceeding 100 Begahs, be exempted from the above penalties, and be confirmed to the poſſeſſors, by the Superintendent; but that all lands exceeding that quantity be not confirmed without the particular directions of the Committee.

9th. That in caſe of delay or evaſion on the part of the proprietors in paying the penalties preſcribed, their lands be finally reſumed.

By an extract of the proceedings of the Governor and Council, dated the 23d November 1773, it is permitted to the Provincial Councils to grant Sunnuds for

aforesaid lands, where the rent is under 100 Rupees, under the public seal and signature of the Chief; but by the late Regulations, this rule is virtually revoked, not having been known to exist at the time these Regulations were formed. The following additional Regulation is therefore proposed.

9th. That all Sunnuds, falling within the rule described in the 20th article of the Regulations of the Governor and Council of the 23d November 1773, be confirmed without further inquiry.

It appears, that some of the titles produced at the office have been found inadmissible, either as having been granted by persons, who by the Regulations, are declared incompetent, or as being subsequent to the date of the Dewannee grant; that nevertheless the land has been held by them for years, and no claim has been preferred either on the part of the Company, or by individuals: the following rules are proposed as applicable to this case.

10th. That such titles as fall within the above description, in cases where the persons have complied with the Regulations of the advertisement, with respect to time, be confirmed, by a new Sunnud, on the following conditions.

11th. That the proprietors of the land do pay to Government two thirds of the annual Jumma thereof in perpetuity: the ground to be measured, and its value ascertained, at the discretion of the Committee.

12th. That exclusive of the above annual rent, one fourth of the annual produce be paid as a compensation, on receiving the Sunnud of confirmation, and the revenue thereof to be paid from the commencement of the year in which such Sunnud is granted.

Grants of land having occasionally been made by the Zemindars from their own Comar land, or lands that have ever been separated from the revenues, many of these grants are resumable by the strict letter of the Regulations, as being posterior to the date of the Dewannee grant, the following rule is proposed for land in this situation.

13th. That where the land appears to have been ever Comar land, it be not resumed, provided the proprietors have complied with the prescriptions of the advertisement.

By a misinterpretation of the orders, the proprietors of Bazee Zemin land, in the Midnapoor province, produced their Sunnuds at Midnapoor instead of delivering them into the Superintendents office, and were not informed of the mistake till after the period prescribed in the advertisement had elapsed, for this reason it is proposed that,

14th The limitation in favour of the Bazee Zemin holders in Midnapore be extended to the end of Kautick 1189, being one month beyond the general date fixed.

15th. The Sunnuds already produced to the Committee are in very few instances

only, for more than 250 Begahs of land; and nine tenths of them are for leſs than 100 Begahs of land. But the attention of the Committee is equally engaged in examining the validity of the titles produced for one Begah, as of thoſe for 100; it is therefore propoſed, that to leſſen the labour of the Committee, and for the greater diſpatch of buſineſs, the Superintendent be authorized to confirm all Sunnuds for land not exceeding 200 Begahs under the Regulations laid down.

By the letter of the Regulations all rent free lands in whatever quantity, unleſs held under the ſanction of a grant from the Governor and Council, or unleſs poſſeſſion thereof was obtained antecedent to the Dewannee grant, are reſumable.

The Committee, confirmable to the Regulations, have ſuſpended the confirmation of all ſuch lands, which are deficient in the particulars required to render the tenure of them legal, requiring proofs of poſſeſſion before the period preſcribed, when the titles are not valid. The number of perſons laying claim to ſmall portions of land is very conſiderable, and a great portion of the time of the Superintendent, which might be more uſefully employed, is taken up in examining theſe proofs. The Regulations ſhould admit a greater latitude in this inſtance; and the following rules are accordingly propoſed.

16*th*. That all grants of land not being Comar land, made by any Zemindar or officer of Government, with the conſent of the Zemindar, not exceeding 50 Begahs, be confirmed.

17*th*. That where the land exceeds that quantity, it be ſubject to the Regulations in the 11th and 12th articles.

REGULATIONS *for* REGISTERING JAGHEERS, ALTUMGHA *and* MUDDUD MAUSH LAND *in* BEHAR, *passed on the* 23*d April* 1788.

JAGHEERS.

1*ſt*. The accounts prepared by the Council of Patna on the 27th January 1772, are to be adopted as the baſis of the inveſtigation into theſe tenures.

2*d*. No new inquiry is to take place into the Sunnuds mentioned in that account.

3*d*. Particular inquiry is to be made reſpecting perſons now in poſſeſſion of the Jagheers ſtated in that account, in order to diſcover whether any perſons have ſucceeded ſince the date of it; and wherever this appears to be the caſe, the authority by which the ſucceſſion was determined in their favor, is to be particularly inquired into, and ſtated, with the date of the demiſe of the former poſſeſſor; and, after his demiſe, of the date of the ſucceſſion of the new. The Collectors are not to take their information

from the records only on this point, ſince the uſual practice of continuing the name of a poſſeſſor after his demiſe, might defeat the object of the inveſtigation; but they are to aſcertain, wherever neceſſary, the perſonal identity of the poſſeſſor.

4th. It is to be underſtood that all Jagheers, in conſequence of the death of any of the incumbents ſince the completion of the account of January 1772, are eſcheated and become the property of Government, and that all ſuch as fall under this predicament are to be immediately attached, except where the preſent poſſeſſors have titles under the authority of the Provincial Council of Patna, that of the Governor ſingly, or of the Governor and Council.

All inſtances falling under this exception, are to be reported, previous to attachment, and the public records are to be inveſtigated, and reported by the Collector, in order to ſhow the grounds on which the ſucceſſion has been granted.

5th. The Collectors are to tranſmit the information here required under the following forms.

1ſt Number of the Sunnud according to the regiſter formed by the Council of Patna, under the date of the 27th January 1772.

2d. Names of perſons in poſſeſſion of Jagheers at that period.

3d. Names of the preſent poſſeſſors.

4th. Date of their ſucceſſion.

5th. Authority by which they ſucceeded, with remarks explanatory of the grounds on which the ſucceſſion was confirmed, together with all ſuch information, as to the affinity of the preſent proprietor, and his family tranſfers of the Jagheer, by ſale, mortgage or otherwiſe, as they may deem neceſſary for the information or deciſion of Government.

6th. In order to aſcertain how far the Jagheerdars may be in poſſeſſion of a greater quantity of land than they are entitled to, and to enable Government to determine upon the probable effect and expence attending a general meaſurement of the lands of the Jagheerdars, the Collectors are directed to undertake a Huſtabood and actual meaſurement of one or two of the Jagheers in their reſpective diſtricts, and to tranſmit an extract thereof ſtating the number of Begahs therein and its actual produce, alſo a particular account of the expence attending this meaſure.

7th. The actual produce is to be compared with the value of the Sunnud as expreſſed in Rupees and not in Daams.

8th. The Collectors are required to give their opinion on the effect of an order for converting the Jagheer lands into penſions, ſtating how far it would be of advantage to the Company, and how far it might be injurious or diſagreeable to the poſſeſſors.

9th. All Jagheers upon the demiſe of the preſent proprietor, are to be invariably reſumed and reported.

ALTUMGHA.

1ſt All grants in Altumgha for land are to be reviſed, and a ſpecial report is to be made thereon; and, for the purpoſe of reviſal, the Collectors are to require all perſons holding lands under this denomination according to the Regiſter of the Patna Council of January 1772, to produce their grants within a given time.

2d. The ſtricteſt attention is to be paid by the Collectors to aſcertain the authenticity of thoſe grants; and whether any of them have been forged or interpolated; and for this purpoſe they are to examine the ſeals and ſignature therein, or the Mohur Oozek and Tograh, which are both eſſential to conſtitute their validity, as well as the endorſement authenticated with the ſeal of the Vizier, and writing at large. As a baſis for examination, and compariſon, they ſhould ſelect one original grant of undoubted authority.

3d. Wherever the holders of Altumgha lands cannot produce their original Sunnuds, pleading the loſs of them, they are to be required to produce the beſt evidence the caſe will admit, of their having formerly poſſeſſed them and of the Sunnuds being loſt. All poſſible information by an examination of the copies among the records, the records themſelves, and the officers who aſſiſted at the former inveſtigation, muſt be produced.

4th. Accurate copies of all Sunnuds, whether originals or copies, are to be made and tranſmitted to the Preſidency.

5th. The Sunnuds and orders iſſued in conformity to the royal Firmaun, whether by the Vizier, Sudder-ul-Sudder, Nazim, Dewan, or other officers of the empire, under the general denomination of Sunnud Bazoo, are to be examined with the ſame attention as the original Fermaun.

6th. An abſtract is to be prepared of all the Altumghas in the ſame form, as has been pointed out for the Jagheers, with an additional column, expreſſing the number of Daams or number of Begahs, whichever may be mentioned in the grant.

7th. The ſame meaſure is to be adopted with regard to the Altumgha, that is ordered in the ſixth and ſeventh articles reſpecting Jagheers.

8th. The Collectors are to note ſpecially any inſtances in which theſe grants are made in the nature of endowments, for Durgas, or charitable purpoſes, and to report whether ſuch purpoſes are neglected or complied with.

MUDDUD MAUSH.

1ſt. The examination preſcribed for the Altumgha grants is to be adopted with reſpect to the Sunnuds for Muddud Maſh.

2d. In the examination of the terms of these grants, the Collectors are particularly to ascertain whether the donation of land or Daams as Muddud Maush is confirmed to the grantee or extended to him and his heirs.

GENERAL RULES.

No grants of land, held under any of the above titles, are to be deemed valid, excepting those recorded by the Council at Patna in January 1772, if there be any, also excepting such as may have been made by the Governor and Council.

2d. All lands under any of the above denominations held without Sunnuds are to be resumed.

3d. For the better ascertaining the nature and terms of the grants under the names of Altumgha and Muddud Maush, a translation is to be made of an original grant for each; and any variations, as far as they regard the nature of the tenure in the others, are to be noticed.

4th. No sales, or mortgages of Jagheer land for a period beyond the life of the present possessor, are to be valid.

5th. All persons succeeding in future to the property of Altumgha or Muddud Maush lands, are to make application to the Collector, in whose district the land is situated, for a confirmation thereof; and the Collector, having ascertained the grounds of the claim to the succession, is to report the same to the Board of Revenue, who are to report it to us; and without the Board's sanction no confirmation is to ensue.

But this order is not to prevent the parties succeeding immediately of course.

6th. An inquiry is to take place whether the persons holding lands under the denomination of Jagheer, Altumgha and Muddud Maush, or their families, reside within the Company's provinces.

REGULATIONS *regarding* MALCONNAH LANDS *in* SOUBAH BEHAR,—*passed 8th August* 1788.

First. That no grants for Malconnah lands shall be deemed valid, excepting such as may have been made or confirmed by the supreme authority of the country, that is, the Governor and Council for the time being.

Second. That any Aumil, Zemindar or other, in future making grants of Malconnah land, shall forfeit five Rupees for every Beegah so granted.

Third. That when a settlement is concluded with any Zemindar, for the rents of his

Zemindary, it is to be underſtood as made for the whole Zemindary upon fair and equitable terms, without any ſpecification or diſtinction of Malcomnah.

Fourth. That Zemindars, not having the management of their own lands, are, as at preſent, agreeable to the conſtitution of the Soubah, to receive an allowance of 10 per cent as Malconnah on the neat Jumma of the Zemindarry.

REGULATIONS, *for the* PREPARER *of* REPORTS, *paſſed* 11*th August* 1788.

1*ſt.* That when any complaint of a ſerious nature, ſuch as peculation, extortion, corrupt practices, or oppreſſion, is preferred to the Preparer of Reports for inquiry and report, he do proceed to inveſtigate the ſame to proof or refutation, as far as the evidence produced allows.

2*d.* That no Razynamah, releaſe or acquittance of any kind, from the perſon on whoſe part the complaint is preferred, be allowed to be brought in bar againſt the inquiry; which is to be carried on, in the ſame manner as if no ſuch Razynamah had been produced.

3*d.* That in caſe any deed or writing, under the ſeal or ſignature of any of the parties, in whoſe name a complaint has been preferred, ſhall be produced diſavowing the act of his Vakeel or Agent, the latter, notwithſtanding ſuch diſavowal, ſhall be allowed to proſecute the complaint, and produce his evidence in ſupport thereof, agreeable to the preceding reſolutions.

4*th.* That if the Vakeel ſhould, in conſequence of the diſavowal of his principal, declare himſelf unable to proſecute the complaint, the Preparer of Reports be authorized to require the attendance of the principal, in order to aſcertain from him his avowal or diſavowal of the ſuit inſtituted by his Agent; and, in the event of his admitting it, to require him to proſecute it.

That Vakeels, convicted of having preferred falſe compaints, without ſufficient authority from their principals, ſhall be puniſhed in ſuch manner as the Governor General and Council may think proper to direct.

Further REGULATIONS *for the* PREPARER *of* REPORTS, *recorded* 16*th September* 1788.

We deſire that it be made a ſtanding Regulation, in future, that perſons preferring complaints at the Khalſa againſt the officers of Government, of a ſerious nature, ſuch as peculation, extortion, corrupt practices, or oppreſſion, be required to enter into a

penalty bond, binding themſelves to continue the proſecution until the inquiry ſhall be finiſhed; and in the event of their abſconding, previous to the concluſion of the inquiry, that the penalty be enforced. The amount of the penalty bond to be in proportion to the rank and circumſtances of the complainants.

EXTRACT *of a* LETTER *from the* GOVERNOR GENERAL *in* COUNCIL *to the* BOARD *of* REVENUE, *dated 8th April* 1789.

We deſire you will require the ſeveral Collectors to tranſmit to you a monthly report of the perſons under confinement in their Cutcherries for demands of revenue, ſpecifying the name of the party at whoſe ſuit they are impriſoned, the amount of the claim, and the date of their impriſonment.

EXTRACT *of a* LETTER *from the* GOVERNOR GENERAL *in* COUNCIL *to the* BOARD *of* REVENUE, *on the 29th April* 1789.

We authorize you to veſt the Collectors with authority to proceed againſt Talookdars, and other inferior renters paying revenue to Zemindars, in the ſame manner as is preſcribed by the Regulations againſt defaulting renters paying immediately to Government; the Collector having previouſly adjuſted the accounts between the Zemindars and their renters, and aſcertained the amount of the balance demanded to be juſtly due; and all charges reſting with the Zemindars.

ADVERTISEMENT, *dated 29th June* 1789.

Whereas conſiderable loſſes have been ſuſtained in the revenue aſſeſſed on the lands of the town of Calcutta, and the garden grounds in the vicinity thereof, from the property having been frequently transferred, and the proprietors having been made liable for the revenue from the date of their purchaſes only, it is declared, that, without any reference to the former proprietors, Government will conſider all ground ſold after the 1ſt Auguſt next, as pledged for the liquidation of the revenue with which it is taxed; and if any perſon, thenceforth purchaſing land, ſhall fail to make good the arrears of the tax aſſeſſed thereon, the land will be diſpoſed of to diſcharge the amount due after this public notice. No pleas will be admitted of ignorance of the arrears owing at the time of ſale, as it will be incumbent on all purchaſers to aſcertain the incumbrances on the land previous to their purchaſe of it.

EXTRACT *of a* LETTER *to the* BOARD *of* REVENUE *under date the 24th March*, 1790.

We think proper to direct, that the collection of the Aumilnamah fee from the Zemindars and renters, be in future discontinued, and that you iſſue orders to the Collectors of the ſeveral diſtricts, in which this fee has become an additional aſſeſſment on the Rayats, to cauſe ſuch aſſeſſment to be forthwith aboliſhed.

REGULATION, *proposed by the* BOARD *of* REVENUE, *and approved 28th May*, 1790.

Being of opinion, that it would occaſionally tend to the ends of juſtice to receive new evidence in appeals preferred to us againſt deciſions of the Collectors, or to refer the matter back for a new trial, we ſubmit to your Lordſhip in Council the expediency of veſting us as a Court of Review, as well as Appeal, in cauſes cognizable by us, with powers ſimilar to thoſe veſted in the Sudder Dewannee Adaulut, by the 77th article of the exiſting Judicial Regulations.

REGULATION, *passed on the 28th May* 1790.

Agreed, that the propoſition of the Board of Revenue for empowering the Collectors generally, whilſt the revenue cauſes, ſpecified in the 19th article of the Dewannee Adaulut Regulations, continue cognizable by them, to enforce their decrees in each cauſe, in the mode preſcribed for the execution of decrees paſſed in the Courts of Dewannee Adaulut, be approved; and that they be directed to iſſue the neceſſary orders to the ſeveral Collectors accordingly.

EXTRACT *of a* LETTER *to the* BOARD *of* REVENUE, *dated 2d June* 1790.

We authorize you, and the Preparer of Reports, to apply, when neceſſary, to the Molavies and Pundits of the Sudder Dewannee Adaulut, for their opinions regarding points of law, and have directed them to pay due attention to ſuch applications.

REGULATION, *for the* SALE *of* LANDS, *authorized on the 30th June* 1790.

That inſtead of ſelling all land as at preſent at the Khalſah, ſuch lands only as pay revenue to Government exceeding 1,000 Rupees per annum, and lands paying a leſs

revenue in the vicinity of Calcutta, be in future ſold at the Khalſah; and that all land paying an annual Jumma not exceeding 1,000 Rupees, if more contiguous to Patna, Dacca or Moorſhedabad, than to Calcutta, be diſpoſed of at public auction by the Judges of theſe cities reſpectively, the Sudder Jumma having been previouſly adjuſted by the Board of Revenue.

REGULATION *for the* PREPARER *of* REPORTS, *recorded* 28*th July* 1790.

To obviate future miſconſtruction of the 1ſt article of the Regulations of the 11th Auguſt 1788, we direct, that this article be revoked, and that the following be ſubſtituted in lieu of it.

That when any complaint of a ſerious nature, ſuch as peculation, extortion, corrupt practices, or oppreſſion, is referred by the Governor General in Council, or by the Board of Revenue, to the Preparer of Reports for inquiry and report, he do proceed to inveſtigate the ſame to proof or refutation, as far as the evidence produced allows.

EXTRACT *of a* LETTER *to the* BOARD *of* REVENUE, *on the* 30*th July* 1790.

We direct that it be accordingly adopted, as a general rule, that in all inſtances where the Ryats ſhall give ſecurity for the performance of their engagements, and ſuch ſecurity ſhall be accepted by the landholders, it ſhall not be lawful for the latter to attach the crop of the former, unleſs the ſecurity ſhall have abſconded, and other good ſecurity not have been tendered in conſequence.

EXTRACT *of a* LETTER *to the* BOARD *of* REVENUE, *on the* 30*th July* 1790.

We deſire you will cauſe a publication to be iſſued in the ſeveral diſtricts, prohibiting all landholders, or other perſons, not veſted with due authority, for that purpoſe, on the part of Government, from taking cognizance of cauſes coming within the juriſdiction of the Courts of Dewannee or Foujedarry Adaulut, under pain of being liable to ſuch fine as Government may think proper to impoſe, in addition to the damages which may be awarded againſt them by the Courts of Dewannee Adaulut, ſhould the party, injured by ſuch illegal acts, think proper to proſecute them thereon.

Further REGULATION, *recorded on the 6th August 1790.*

LETTER *to the* BOARD *of* REVENUE.

The proprietary right in the ground on which Hauts and Bazars are now held, will continue veſted in the landholders. The public, however, are to have the free uſe of it, for as our orders of the 28th ultimo extend to the abolition of all collections, hitherto made, under the head of Tehbazarree or other denominations, from perſons expoſing their goods for ſale in the Gunges, Bazars and Hauts, under temporary ſtalls and ſheds, or in the open ſtreet, and as the landholders are to receive a compenſation for theſe collections, they can have no right, whilſt ſuch compenſation is continued to them, either to appropriate the ground for the temporary uſe of which ſuch collections were made, to any other purpoſe, or to levy any exactions whatever from the perſons who may in future expoſe their goods thereon for ſale as heretofore. We accordingly direct that the ground on which Hauts and Bazars are now held, be continued to be appropriated to this purpoſe, free of all charge to the venders, and that you cauſe the neceſſary publication to be made accordingly.

The above reſolution is not to preclude the landholders from receiving the monthly or annual rent ariſing from permanent ſhops, or other buildings, the collection of which is confirmed to them by our reſolutions of the 11th June

REGULATION *recorded 20th August 1790.*

That in future, the order to diſtrain the lands of defaulting landholders be iſſued to the Collector at the ſame time with the order to the Preparer of Reports to levy the arrears by the ſale of the property diſtrained, and that the Collector be directed to hold the ſame in ſequeſtration, till the purchaſer apply to him to be put in poſſeſſion The expence attending this proceſs, to the day of ſale, to be charged to the defaulting party, and deducted from the proceeds of the ſale, and after that to be defrayed by the purchaſer.

EXTRACT *of a* LETTER *to the* COLLECTORS *of* REVENUE, *on the 8th September 1790.*

We think it neceſſary to lay it down as a general rule for your guidance, that in all caſes of the lands of defaulting landholders or renters being ordered to be ſold for the diſcharge of balances of revenue, and the ſale of ſuch lands ſhall appear to you ſufficient to liquidate the balance due, you releaſe from confinement the landholders and renters in arrear, in the event of their being previouſly under reſtraint on this account.

EXTRACT *of a* LETTER *to the* BOARD *of* REVENUE *on the 29th September* 1790.

We have received your letter of the 24th ultimo, with its enclosure, and direct that the orders passed in 1782, prohibiting the sale of spirituous liquors, within ten miles of Calcutta, be considered as superseded by the late orders for the establishment of the Abkarry Mohaul.

REGULATIONS *for the sale of* LANDS, *8th October* 1790.

Resolved, that in future, persons whose lands or other property may be put up to public sale for the liquidation of arrears of revenue, or in satisfaction of decrees of the Courts of Dewannee Adaulut, shall be allowed to buy in the same on their own account, but in order to obviate the loss and inconvenience which might attend resales, occasioned by defaulters buying in their property without possessing the means of paying the purchase money, we direct, when such defaulters, or others on their behalf, shall be the highest bidders for the purchase of their own property at public sale, that the officer appointed to make the sale, in the event of his entertaining doubts of their ability to pay the purchase money, be empowered to demand from them security for the due discharge of the amount, and in the event of their omitting to give the security required, before the close of the sale, that he dispose of the property to such other person or persons as may make the most advantageous offers for the same.

EXTRACT *of a* LETTER *to the* BOARD *of* REVENUE, *dated 24th December* 1790.

We direct it be made a standing rule, that the plaintiff, in suits cognizable in the Revenue Courts of the Collectors, defray all costs of instituting, and, as far as the same may be incurred for process issued in his behalf, of pursuing, claims preferred by him, until he shall establish such claims; when the necessary sums expended shall be repaid to him by the defendant, in the decree passed against whom the amount shall be specified and included.

EXTRACT *of a* LETTER *to the* BOARD *of* REVENUE, *dated 7th January* 1790.

We direct, that Tehseeldars be prohibited purchasing, on their own account, lands lying within their jurisdiction, under a penalty rendering the offenders liable to forfeit the amount of their purchase.

Abkarry REGULATIONS *recorded the* 14*th January* 1791.

1*ſt*. That for the preſent, a tax be levied on every licenſe granted both to diſtillers and venders of ſpirituous liquors.

2*d*. That the tax be levied on all intoxicating liquors, and that it be heavieſt on the moſt prejudicial.

3*d*. That the rates of the tax on the licenſe be alſo regulated by the local ſituation of the ſtills and ſhops, the quantity of the conſumption, and the rate of the ſelling price.

4*th*. That it be left to the Collectors, under theſe conſiderations, to determine the amount to be paid by each diſtiller and vender for the current year, but that they be reſtricted from granting any licenſe under the rates at which the diſtillers and venders have hitherto been aſſeſſed.

5*th*. That all private unlicenſed ſtills be prohibited, and that any perſon deſirous of working a ſtill for his private accommodation, ſhall take out a licenſe on the footing of a public diſtiller, and enter into ſimilar engagements.

6*th*. That all perſons, found to diſtill, or ſell, ſpirituous liquors, without a licenſe, be declared liable to a fine equal to three times the amount of the medium rate of the tax on licenſes in the ſame place, and that one half of this penalty be given to informers.

7*th*. That the licenſes be granted for one year only, and that thoſe to be iſſued for the current year, whether to preſent diſtillers and venders, or to thoſe who may ſubſequently become ſo, be limited to the remaining period thereof.

8*th*. That the accompanying forms of Pottah and Cabooleat be adopted for the preſent, but that the Collectors be deſired to propoſe any addition or amendments therein which local circumſtances may appear to them to render neceſſary or adviſable.

9*th*. That a commiſſion of 10 per cent on the amount realized, be allowed to the Collectors, during the current year, for all charges; but that they be required to ſubmit, at the end of the year, an eſtimate of the expence which they may deem indiſpenſably neceſſary for the enſuing year.

10*th*. That the licenſes, granted by the Collectors, in their reſpective diſtricts, be iſſued in numerical order, and that a regular regiſter be kept of them, exhibiting the number, date of iſſue, names of the town or village, and Talook or Pergunnah, in which the licenſed ſtills or ſhops are ſituated, names of the perſons to whom the licenſes are granted, and the annual amount to be paid by them reſpectively, together with a column of reference to the native books of record, in which the licenſes and Caboolcats are entered at length.

11th. That the Collectors, at the concluſion of the current year, ſubmit to the Board of Revenue a table of rates to be paid by diſtillers and venders, for licenſes, in the enſuing year, in their reſpective diſtricts, and that they ſubmit a ſimilar table at the end of each ſucceeding year for the Board's approbation.

Form of Pottah.

Whereas, by the authority of the Governor General in Council, I do hereby authorize A. B of village C. in Pergunnah D. under my juriſdiction, to keep a ſhop or ſtill for the vend of ſpirituous liquors, from the date hereof, in conſideration of his paying the eſtabliſhed tax of Government, being for the preſent year Sicca Rupees——; It is required, as an indiſpenſable condition of the ſaid licenſe, that he do faithfully and implicitly conform to the following Regulations.

1ſt That he do prevent, to the utmoſt of his power, all drunkenneſs and diſorder within the ſaid ſhop.

2d. That he do not harbour thieves nor riotous perſons; that, on the contrary, he do give intimation to the neareſt Magiſtrate of any ſuſpected perſons who may reſort to his ſhop.

3d. That he do not receive any goods, or wearing apparel or property, in barte. for his liquor.

4th. That he do not open the ſhop till day break in the morning, nor keep it open after 9 o'clock at night, and that he do not harbour any perſons in it during the night.

All officers of Government are hereby prohibited from impoſing any ceſſes under any pretence whatever on the ſaid A. B. on account the ſaid ſhop, during the aforeſaid period, beyond the preſcribed tax, and they are alſo particularly prohibited from moleſting or interrupting him in the proſecution of his profeſſion, while he ſteadily conforms to the above ſpecial Regulations, and to all general Regulations of the Governor General in Council applicable to him.

Given under my hand and Seal

this day of 17

Form of Cabooleat.

I A. B. of village C. in Pergunnah D. of the diſtrict F. having this day received from the Collector of the ſaid diſtrict, a licenſe for keeping a ſhop or ſtill for the vend of ſpirituous liquors, from the date hereof, I do hereby promiſe to pay per menſem Rs.——; during the preſent year, and do engage, as an indiſpenſable condition of the ſaid licenſe,

1*ſt*. That I will, according to the utmoſt of my power, prevent all drunkenneſs and diſorder within the ſaid ſhop, by being careful not to ſell a quantity of liquor to any one perſon which may endanger his intoxication.

2*d*. That I will not harbour thieves nor riotous perſons, but on the contrary will give information to the neareſt Magiſtrate of any ſuſpicious perſons who may reſort to my ſhop.

3*d*. That I will not receive any goods, nor wearing apparel, nor property of the kind, in barter for liquor.

4*th*. That I will not open my ſhop till day-break in the morning, nor keep it open after nine o'clock at night, and that I will not harbour any perſons in it during the night.

I do ſolemnly engage to conform to the foregoing conditions of my licenſe, faithfully and implicitly, and all ſuch general Regulations as the Governor General in Council may have made, or may make, for the good government of the country, applicable to me; in default of which I ſhall conſider myſelf to have forfeited the ſaid licenſe, and to be ſubject to ſuch puniſhment as the Regulations of Government may render me liable to.

Given under my hand and Seal
this day of

EXTRACT *of a* LETTER *from the* GOVERNOR GENERAL *in* COUNCIL.

We have received your letter of the 7th inſtant, containing propoſitions on the ſubject of the Abkarry Mohaul.

Par. 3*d*. We agree to the adoption of this propoſition, for the current year, but it appearing to us that fixing the rates of the tax on the licenſes, agreeable to the rates therein preſcribed, will give riſe to much fraud and colluſion between the venders and diſtillers, and the native officers who muſt be employed to adjuſt the amount to be paid by each individual, we deſire, that previous to the commencement of the enſuing year, you will inquire and report to us your opinion, whether it will not be more adviſable to order the Collectors to fix one general rate for each town, and for the villages in each diſtrict, within their juriſdiction, and that all venders and diſtillers reſiding in the ſame town or diſtrict, be charged according to one rate for their reſpective licenſes.

9*th*. We do not think it adviſable to allow the Collectors, for the current year, a commiſſion of ten per cent on the amount realized for all charges, but direct that they be authorized to entertain the neceſſary eſtabliſhments, and to diſburſe the ſums requiſite for the ſame, provided the amount ſhall not exceed ten per cent on the ſum collected, and that they be ſeverally required to ſubmit, at the end of the year, an eſtimate of the expence which they may deem indiſpenſably neceſſary for the enſuing year.

We approve of the remaining propoſitions contained in your letter, and direct that you iſſue the neceſſary orders to the ſeveral Collectors accordingly.

REGULATION, *recorded on the 14th January*, 1791.

We direct that the 43d article of the Regulations of the 25th April 1788, reſpecting Tuccavy, be conſidered as in force, in caſes where lands ſhall be held Khas.

We further direct, that, in general, the proprietors be left to make the requiſite advances of Tuccavy under the decennial ſettlement; but at the ſame time we authorize you, in caſes of their total inability, to give the neceſſary aſſiſtance in this reſpect to their Ryots, to allow the ſame on the part of Government, not exceeding in any caſe, five per cent on the Sudder Jumma, and reporting the ſame to us as heretofore.

REGULATION *for* REPAIRS *of* DYKES, *recorded on the 11th February* 1791.

The Board, taking into conſideration the comparative expediency of the modes hitherto adopted of repairing the pools, in thoſe diſtricts in which the repairs are made at the expence of Government, are of opinion, that the following Regulations will enſure ſuch repairs, as may be requiſite, being properly executed, and at the loweſt expence.

1*ſt*. That in diſtricts where the pools are repaired by Government, or in which the temporary charge of the repair thereof may devolve upon them, in conſequence of the diſpoſſeſſion of the Zemindar, the general ſuperintendence of ſuch repairs be committed to the Collector.

2*d* That the Board of Revenue ſhall require the Collectors of ſuch diſtricts to report annually, in due ſeaſon, the ſtate of the pools, and to tranſmit an eſtimate of the expence of the neceſſary repairs, which report and eſtimate they ſhall ſubmit to the Governor General in Council, with their opinion, whether the work to be performed is of ſuch a nature as to require the aſſiſtance of a profeſſional perſon.

3*d*. That in caſes where the Governor General in Council ſhall deem the deputation of a profeſſional perſon unneceſſary, the Board of Revenue, upon receiving the orders of the Governor General in Council, for that purpoſe, ſhall direct the Collector of ſuch diſtrict to appoint an officer on his own part to execute the work, which officer ſhall forward to the Collector a weekly return of the number of workmen employed, and the rate of their wages, together with a ſtatement of the work performed during the courſe of the week.

4th. That in cases where the deputation of a professional person shall be deemed necessary, the person deputed shall survey the pools, and transmit to the Board of Revenue, for the approbation of the Governor General in Council, an estimate of the expence of the repairs required, and after the same shall have been approved, shall proceed to make the repairs; and it shall be the duty of such person to draw out and sign a daily or weekly return of the number of workmen employed, which return shall be delivered to an officer to be appointed by the Collector, who shall pay the workmen according to such return, transmitting the same to the Collectors, as a voucher for the money disbursed. The professional person, so deputed, shall transmit to the Collector an indent for such materials or implements as may be necessary, with an estimate of the expence thereof, and the Collector shall furnish the same at the lowest price at which they can be procured.

5th. That professional persons, so deputed, shall be allowed such compensation or monthly salary as the Board may deem adequate to the nature of the service.

6th. That the Collectors, to whom the superintendence of the repairs of the pools is or may be committed, (whether the work shall have been executed by a professional person or an officer appointed by them) shall deliver annually two copies of their accounts of expenditures in Persian and English; one copy to be deposited in the Cutcherry of the district, for general inspection, and the other to be transmitted to the Board of Revenue.

7th. Resolved, that the Board of Revenue be directed to communicate the above Regulations to the Collector of Burdwan, and to such other Collectors as are, or may be, entrusted with the charge of the Poolbundy of their districts, and that they authorize the Collector of Burdwan to make such disbursements, under the above Regulations, as may be requisite for the Poolbundy of his district, until the estimate of the total expence of the work to be performed, shall have been completed.

8th. Agreed, the Board of Revenue be further informed, that in consideration of the advanced period of the season, the above Regulations are not to be extended, for the present year, to the Moorshedabad pools.

REGULATION *for* SAYER COMPENSATIONS, *recorded on the 15th April, 1791.*

That the amount of the compensation to be given to the holders of the Malguzarry Sayer abolished, after a determination on their right thereto, in the mode directed by the resolutions of the Governor General in Council of 11th June 1790, be provided to such of them as may engage with Government for the revenue of their own lands, by granting them an abatement of Jumma, equal to the full amount of their former neat collections

from the Sayer abolished, including their one tenth profit, for which the compensation is ordered; and that it be provided to those whose lands may now, or hereafter be, let in farm or held Khas, by the annual payment of the amount of such compensation on the part of Government, to be made in quarterly proportions by the Collector of the district in which the Gunge, Haut, or Bazar, yielding the Sayer abolished, may be situated; for securing which payment to the Malguzarry holders entitled thereto, a certificate to be given to each of them, under the seal and signature of the Board of Revenue, declaring the neat annual amount of their Sayer abolished, and their title to one tenth thereof, as their compensation, receivable in the manner herein stated, until it can be provided by an abatement of Jumma, on the settlement of their land being made with them, in which case they will be no longer entitled to the payment specified.

REGULATION, *recorded on the 20th May*, 1791.

That the Collectors be authorized to hear and determine on all cases of embezzlement and corruption, charged against the native officers employed in the collection of the public revenue, subject to the appeal allowed by the Revenue Regulations, and to recover such penalties as may be decreed by them, in the mode prescribed for the execution of decrees passed in the Dewannee Adaulut.

That such penalties, as may be recovered in such cases, after indemnifying Government or individuals, (the corrupting party excepted) for any losses sustained by them in consequence of the embezzlement or corruption, be paid to the Committee for the relief of insolvent debtors, to be appropriated by them to the purposes of the institution.

When Tehseeldars, Sezawals, Aumeens, or their natives officers, shall be charged with corruption or embezzlement, the prosecution shall be carried on by the head Assistant to the Collector, on the part of Government.

REGULATION, *recorded on the 10th June* 1791.

That the Preparer of Reports, and also the Judges of the Dewannee Adauluts, at Moorshedabad, Patna and Dacca, as long as they shall continue to conduct the public sales of land, for the discharge of revenue balances, be vested with a discretionary power to suspend the sales ordered to be made by them respectively, whenever the amount bid for the same shall appear to them very disproportionate to the current selling price of similar landed property, immediately reporting the case for our consideration, and that of the Governor General in Council, with such information of the cause which may

have prevented the offer of the uſual price for the land intended to be ſold, as their obſervation and inquiries may enable them to furniſh.

Further REGULATIONS, *approved on the 24th June 1791.*

As under the rule for Mulguzarry Sayer compenſation, approved by the Governor General in Council on the 15th April laſt, it may be a queſtion whether the one tenth compenſation is to be made to diſqualified landholders, by a reduction of Jumma, or by a money payment from Government, their lands being nominally held Khas, though really managed for the benefit of the proprietors, (any ſurplus collection above the fixed revenue being applied to their benefit) it is further explained, that the compenſation, in theſe inſtances, is to be made in like manner as if the ſettlement were made with the proprietors, viz. by an abatement of the revenue aſſeſſed upon their lands, equal to the full amount of the former neat collections of the Sayer reſumed or aboliſhed, including their one-tenth for which the compenſation is ordered: or in caſes where a new aſſeſſment of their lands may be made, on conſideration of the land aſſets only, by an abatement of ſuch aſſeſſment, equal to the amount of the one tenth compenſation due to them.

Further REGULATION, *for the* PREPARER *of* REPORTS, *paſſed on the 15th July 1791.*

That if any witneſs ſhall contumaciouſly refuſe to take the oath directed to be adminiſtered by the 9th article of the Regulations paſſed on the 15th May 1788, (in caſes where it is not prohibited by the precepts or doctrines of his religion), or ſhall refuſe to give evidence, or to ſign his examination or depoſition, the Preparer of Reports ſhall immediately commit ſuch witneſſes to the Khalſah gaol for contempt of Court; and if, after the expiration of three days, the ſaid witneſs ſhall perſiſt in ſuch refuſal, the Preparer of Reports ſhall report the caſe to the Governor General in Council, or the Board of Revenue, (if within their juriſdiction) in order that the ſaid witneſs may be puniſhed by fine, or imprisonment, as the caſe may require.

REGULATION, *recorded 29th July, 1791.*

LETTER *to the* BOARD *of* REVENUE.

We agree to the propoſition, reſpecting the diſcontinuance of the practice of requiring from the Collectors and Canongoes, reports of the families of deceaſed Zemindars, and granting Sunnuds to the oſtenſible heirs, and accordingly direct, that the 50th article of

the Regulations of the 25th April 1788 be annulled, and that, in future, the ſucceſſion to all lands, when diſputed, be left to the determination of the eſtabliſhed Courts of Juſtice, and that the Collectors be required to tranſmit an annual liſt of occupants only.

We deſire you will cauſe the above Regulation to be duly publiſhed in the ſeveral diſtricts, and direct, that it be extended to the lands of the ſeveral Zimindars, whoſe demiſe has been reported by you in the above letters.

The Peiſhcuſh of fifty gold Mohurs on each Lack of Rupees Jumma, heretofore levied, is of courſe to be diſcontinued.

REGULATION, *recorded 30th September* 1791.

Agreed, that ſuch part of the 30th article of the Judicial Regulations as is applicable to the caſe of Zemindars, evading proceſs by abſconding, be extended to cauſes cognizable in the Mal Adaaluts, by the Collectors.

REGULATION *concerning* TANKS, *recorded 21st October* 1791.

Reſolved, that the ſeveral Collectors and the Reſident at Benares be veſted with a diſcretionary power to open any tanks or reſervoirs that are private property for the purpoſe of watering the crops on the lands paying revenue to Government under the following reſtrictions.

Firſt. That the power now veſted in them be not conſidered to extend to the opening of any tanks or reſervoirs within the enclofures of dwelling houſes.

Second. That the water of the tanks and reſervoirs in queſtion be not appropriated to the crops on the Malguzarry lands, until the crops on the lands adjacent belonging to the proprietors of ſuch tanks and reſervoirs have been firſt properly watered, as any deviation from this reſtriction would be injurious to the proprietors of the tanks and reſervoirs by the deſtruction of their crops without increaſing the general produce: the Collectors are to be particularly careful that this reſtriction is duly obſerved; and, to guard againſt any deviation from it on the part of their officers from corrupt or other motives, they are further required to inform them, that they will be made reſponſible for any damage which may ariſe to the crops of the proprietors of the tanks and reſervoirs in queſtion by their not allowing the crops of ſuch proprietors to be properly watered before they appropriate any of the water to the crops on the Malguzarry lands.

Third. That in diſtricts in which the inhabitants depend ſolely upon the tanks and reſervoirs for water for the purpoſe of drinking, the Collectors are to enjoin their officers

to be careful to leave in the tanks and reſervoirs in queſtion a quantity of water ſufficient for the conſumption of the inhabitants of thoſe villages which have been uſually ſupplied from them.

Fourth. That the Collectors be particularly cautious that the authority now veſted in them is not in any reſpect converted by their officers into a means of oppreſſing the proprietors of the tanks and reſervoirs in queſtion; and that they tranſmit without delay, to the Board of Revenue, copies of all the repreſentations which may be made to them by ſuch proprietors, acquainting them that the moſt liberal attention will be paid to any claims for compenſations to which they may deem themſelves entitled.

Further REGULATION *recorded on the 21ſt October 1791.*

Collectors are not to authorize the eſtabliſhment of ſhops for the ſale of ſpirituous liquors within two Coſs of any military cantonments. The Commiſſaries of Bazars have been informed, that, in effecting the removal of any ſhops eſtabliſhed within the limited diſtance, they are to proceed according to the Regulations paſſed by the Governor General in Council on the 28th July 1790 for the removal of the ſhops eſtabliſhed under a license from the Collector of Moorſhedabad in the vicinity of the cantonments at Berhampoor.

REGULATION *above referred to, paſſed on the 28th July 1790.*

1ſt That the Commiſſary of Bazars be directed to report to the Collector the Khaul ſhops which he may ſuppoſe ſituated nearer to the cantonments than the diſtance preſcribed by the general Regulations.

2d. That upon ſuch report a perſon be appointed on the part of the Collectorſhip to attend an officer on the part of the Commiſſary, for the purpoſe of aſcertaining the actual diſtance of the ſhops from the cantonments, by meaſurement, if neceſſary.

3d That the ſhops, where coming within the diſtance preſcribed, be removed by the Collector.

REGULATION, *approved on the 4th November 1791.*

That the ſeveral Collectors be inſtructed not to permit their Agents to open any tanks or reſervoirs uſed in waſhing the Company's cloths, without having previouſly aſcertained, from the Commercial Reſidents at whoſe factories or Aurungs they may be in uſe, whether any material inconvenience to their public buſineſs would attend this meaſure.

REGULATION *respecting the collection of* BATTA, *authorized and made general, 4th July* 1792.

LETTER *from the* BOARD *of* REVENUE.

The Collection of Batta on the Sicca Rupee, either by Zemindars from their under tenants, or by both theſe deſcriptions of perſons from the Ryots, being unauthorized by any order of Government, we conſider the ground on which the Zemindar of Rajeſhahy reſts his claim of right to continue this exaction, viz. its being a former uſage, altogether inadmiſſible.

Concurring in the opinion expreſſed by the Commiſſioner, that this practice is highly objectionable, we beg leave to recommend, that it be prohibited, under a penalty of double the amount exacted, with all coſts of ſuit, to be paid to the party injured, by the perſon proved to have been guilty of collecting Batta on Sicca Rupees of legal weight and ſtandard, as directed in the 54th article of the Regulations of the 23d November 1791, in caſes of a Zemindar being proved to have exacted from a Talookdar more than he hath a right to.

ABKARRY REGULATION, *recorded 3d Auguſt* 1792.

EXTRACT *of a* LETTER *from the* BOARD *of* REVENUE *to the* COLLECTOR.

1*ſt*. The manufacture and ſale of ſpirituous liquors, in future, is to be confined to certain towns and villages within your Collectorſhip, which we deſire you will ſelect for that purpoſe, and that you be guided, in your choice thereof, by ſuch information as you already poſſeſs, or may be able to obtain, regarding the local demand and conſumption.

2*d*. The tax on ſpirituous liquors in future to be levied on the ſtills only, at uniform rates, in each of the fixed places of publick vend; the three rates ſpecified in the accompanying letter to be conſidered as the ſtandard rates for the current year; and no licenſes granted for working ſtills at a rate below the loweſt of theſe rates, to be deemed valid without our ſanction.

3*d*. In the event of your finding it neceſſary to make any application to us for granting licenſes at an inferior rate, you will be particularly careful to accompany the ſame with your reaſons at large for propoſing any reduction from the eſtabliſhed rates.

4*th*. In your application of the ſtandard rates to the places determined on for publick vend, you will be particularly attentive not to adopt a lower rate, than that you may find fixed for the neareſt place of publick vend in any of the neighbouring collectorſhips, provided their reſpective ſituations ſhould be ſo contiguous, as that any difference

in the rate of tax would be productive of partial benefit to the diſtillers in one or other of the collectorſhips.

5th. The conditions, ſtated in the propoſed licenſe and Cabooleat, (of which copies are encloſed) as far as the ſame relate to the rate of tax, and ſize of the ſtill, you will adopt in the licenſes to be iſſued in the current year, continuing in them the ſeveral reſtrictions comprehended in the approved forms of licenſe and Cabooleat tranſmitted you on the 7th February 1791, inſerting alſo the further reſtriction in the propoſed form, limiting the ſale by diſtillers to the villages in which they are licenſed.

6th. Having ſelected the places for future vend, as above directed, you will immediately iſſue a public advertiſement throughout your collectorſhip, ſpecifying the names of the towns and villages at which ſpirituous liquors are in future to be manufactured and ſold, the rates at which the licenſes will be iſſued to all diſtillers at theſe places reſpectively, reciting the terms of the licenſe, and further apprizing all perſons, now engaged in manufacturing and vending ſpirituous liquors, without the limits of the fixed places of vend, that if they ſhall be found, on or after the 20th of Bhadoon, B. S. correſponding to the 1ſt of September enſuing, E. S. either vending or diſtilling ſpirituous liquors, without ſuch limits, they will be liable to a fine equal to three times the amount of the annual tax fixed on ſtills, at the neareſt authorized place of vend.

7th. No licenſes for the current year having been approved by us, the application of the exception authorized by the Governor General in Council, in favour of perſons thereby ſuppoſed to have obtained licenſes for the preſent year, becomes unneceſſary; we deem it expedient, however, to direct, that all perſons who may have continued to diſtil and vend ſpirituous liquors under the ſanction of the licenſes of the paſt year, and who may relinquiſh the traffick in conſequence of the foregoing alterations, ſhall be compelled to pay what may be due from them upon theſe terms, until the period of their relinquiſhment, which muſt of courſe be limited, in all inſtances, to the date ſpecified in the advertiſement above directed. From all perſons who may be deſirous of continuing the traffick, under theſe Regulations, you will alſo require payment, agreeable to the rates ſpecified in their licenſes of the paſt year, until the date, above fixed for the adoption of the new Regulations; after which, they will of courſe pay conformably to the eſtabliſhed rates.

8th. The tax on Toddy to be fixed at the rate of 25 per cent on the amount of the rents, ſpecified in the Pottahs, granted by the proprietors of the Toddy trees to the Paſſees; and licenſes to be iſſued accordingly.

9th. In order to deter all proprietors of Toddy trees from attempting any colluſive reduction of the rates of rent, now paid to them by the Paſſees, we direct, that you

iſſue a publick advertiſement, notifying to them, that any colluſive reduction of the rates of rent, now received by them from the Paſſees, for their Toddy trees, will, on the ſame being proved, ſubject them to a fine equal to three times the amount of the deficiency of annual rent occaſioned by ſuch colluſive reduction; and further informing them, that ſuch colluſive practices will not be allowed in any ſhape to affect the revenue of Government, as the tax on the Paſſees, renting Toddy trees, will nevertheleſs be regulated by the cuſtomary rates of the Peiguinnah, for the trees included in their Pottahs.

10*th*. Such of the Regulations of the Governor General in Council, paſſed on the 14*th* January 1791, as are not done away by the foregoing inſtructions, you will conſider in force.

We think it neceſſary to obſerve to you, on the 5 h article of the Regulations above referred to, that the ſanction thereby given, for licenſes to perſons to work ſtills for their own private uſe, is not to be conſidered to extend to perſons reſiding without the limits of the fixed places of publick vend.

The rates of tax, which you may fix for the other articles included in the Abkarry revenue, for the current year, you will ſubmit for our approbation.

Further REGULATION *relative to diſqualified* LANDHOLDERS, *approved by the* GOVERNOR GENERAL *in* COUNCIL *on the 23d November 1792.*

EXTRACT *of a* LETTER *from the* BOARD *of* REVENUE.

We beg leave to ſubmit to the Governor General in Council, the general advantage which might accrue to the accompliſhment of the objects of our truſt as a Court of Wards, from veſting us with authority, in all inſtances in which we ſhall have previouſly ſatisfied ourſelves that it will be for the benefit of our general truſt, to admit the managers and guardians of diſqualified landholders to deliver in the accounts required by the 15th and 24th articles of the Regulations paſſed on the 15th of July 1791, under a ſolemn declaration, ſimilar to that preſcribed by the 64th article of the Judicial Regulations, inſtead of upon oath, as directed by the two Regulations above quoted.

INDEX.

ABATEMENT—Vide Remiſſion,
Acceſſaries—Vide Accomplices,
Accidental Death—Vide Homicide,
Adaulut—Vide Courts,
Age and Infancy—Vide Minority,
Agore Buttye—Vide Land Revenue,
Akraajat—Vide Ditto,
Akoobut—Vide Futwas,
Alienated Lands—Vide Rent-free Lands,
Altumgah—Vide Rent-free Lands,
Amercements—Vide Fines,
Americans—Vide Cuſtoms, Foreign Nations,
Ammunition—Vide Arms,
Anceſtor and Heir—Vide Inheritance,
Annexations—Vide Regiſtry,
Apportionment—Vide Land Revenue,
Armenians—Vide Mountaineers of Silhet,
Arrack—Vide Cuſtoms,
Arreſts—Vide Proceſſes,
Arſon—Vide Burning,
Aſſay—Vide Mints,
Aſſeſſment—Vide Land Revenue,
Aſſignments—Vide Regiſtry,
Aſſul—Vide Land Revenue,
Aumanee—Vide Khas Collection,
Aumil—Vide Sezawuls and Tehſildars,
Aurung—Vide Commercial Agents, Salt,
Award—Vide Arbitration,
Ayma Malguzaree—Vide Quit-rents,
Ayma Lakheraj—Vide Rent-free Lands,
BANG—Vide Abcaree,
Badges—Vide Police,
Bargain and Sale—Vide Sale and Gift,
Batavia—Vide Cuſtoms,
Batta—Vide Exchange,
Baugulpoor—Vide Mountaineers,
Bazars—Vide Markets, Sayer,
Bazeezemeen—Vide Rent-free Lands,
Beburſtah—Vide Dureſs, Law,
Bencoolen—Vide Cuſtoms,
Beſhee—Vide Abwab, Opium,
Bhowlee—Vide Land Revenue, Leaſes,
Bichilwaffa—Vide Mortgage,
Bills of Exchange—Vide Exchange,
Bills of Sale—Vide Deeds, Sale and Gift,
Birmoter—Vide Rent-free Lands,
Bifhunpreet—Vide ditto,
Bombay—Vide Cuſtoms, Salt,
Britiſh Subjects—Vide Europeans,
Bullion—Vide Cuſtoms, Mints,
Bunkur—Vide Sayer,
Burglary—Vide Houſe-breaking,
Burrye—Vide Abwab, Land Revenue,
Buttye—Vide Land Revenue,
Buttearcen—Vide Police,
CAMAR—Vide Land Revenue,
Cannon—Vide Arms,
Cantonments—Vide Abcaree,
Cattle—Vide Diſtreſs,
Ceſſes—Vide Abwab, Opium,
Chakeran—Vide Land Revenue,
Chorchittee—Vide Ruwanas, Salt,
Charitable Allowance—Vide Penſions,
Chelunta—Vide Sayer,
Cherrus—Vide Abcaree,
Chokees —Vide Cuſtoms,
Chowdrai—Vide Regiſtry,
Chullans—Vide Cuſtoms, Ruwanas, Salt,
Chunam—Vide Cuſtoms, Mountaineers of Silhet,
Chundeenu—Vide Sayer,
Chupperbund Ryots—Vide Indigo,

Chupraffees—Vide Sezawals & Tehsildars,
Cities—Vide Police,
Coast of Coromandel—Vide Customs, Salt,
Coast of Malabar—Vide ditto,
Coin—Vide Mints,
Company's Attorney—Vide Nizamut Adaulut,
Complaints—Vide Prosecutors,
Compound Interest—Vide Interest,
Contractors—Vide Opium, Salt,
Corporal Injury—Vide Assault, Wounding,
Cossiahs—Vide Mountaineers of Silhet,
Cotewals—Vide Police,
Cotton—Vide Customs,
Crimes against the State—Vide Treason,
Criminals—Vide Commitments,
Crops—Vide Affrays, Dispossession,
Cultivators—Vide Tenants,
Culprits—Vide Commitments,
DAROGAS—Vide Customs, Police, Salt,
Dawk—Vide Police,
Debt—Vide Actions, Loans,
Decennial Settlement—Vide Land Revenue,
Defaulter—Vide Arrears of Revenue,
Dehuk—Vide Land Revenue,
Dekoytee—Vide Robbery,
Dependant Talooks—Vide Talooks,
Deposits—Vide Sale of Land,
Descent—Vide Inheritance,
Dewannee Adaulut—Vide Courts,
Dewans—Vide Collectors, Native Officers,
Discretionary Punishment—Vide Futwas,
Disobedience of Orders—Vide Neglect,
Distilleries—Vide Abcaree,
Doga—Vide Opium,
Dooms—Vide Police,
Drawbacks—Vide Customs,
Drought—Vide Calamities of Season,
Drugs—Vide Abcaree,
Dulols—Vide Weavers,
Durkhasts—Vide Petitions,
Durna—Vide Duress,
Dusturks—Vide Processes,
Duties—Vide Customs,
ESTATES—Vide Inheritance, Landed Property, Personal Property, Registry,
Escorts—Vide Sepoys,
Evidence—Vide Witnesses,
Exemptions—Vide Customs,
Exports—Vide ditto,
Extortion—Vide Corruption, Exactions,
FACTORIES—Vide Commercial Agents,
Faelzaminee—Vide Crimes & Punishments,
Fire Arms—Vide Arms,
Foreign Salt—Vide Salt,
Frauds—Vide Salt, Stamps,
French—Vide Customs, Foreign Nations,
Fulkur—Vide Sayer,
GANJA—Vide Abcaree,
Gauts—Vide Customs,
Gaut Manjees—Vide Police,
Ghurdewary—Vide Abwab,
Gidurmars—Vide Vagrants,
Gift—Vide Sale and Gift,
Girdwarees—Vide Police,
Gold Coin and Bullion—Vide Customs, Mints,
Grants—Vide Rent-free Lands,
Greeks—Vide Mountaineers of Silhet,
Gunges—Vide Markets, Sayer,
Gunpowder—Vide Arms,
HAIL-STORMS—Vide Calamities of Season, Opium,
Haats—Vide Markets, Sayer,
Hazir-zaminee—Vide Bail,
Heir and Ancestor—Vide Inheritance,
Hindoo Law—Vide Law,
Hospital Board—Vide Opium,
Hurricanes—Vide Calamities of Season,
JAGHEERS—Vide Rent-free Lands,
Instalments—Vide Arrears, Land Revenue,
Jote, also Jotedars—Vide Tenants,
Judges—Vide Courts,
Judgment—Vide Actions, Courts, Execution,
Julkur—Vide Sayer,
Jumma—Vide Land Revenue,
Jurisdiction—Vide Courts,
Justices—Vide Peace,
IMPORTS—Vide Customs,
Independent Talooks—Vide Talooks,
Infancy—Vide Minority,
Infirmities of Nature—Vide Defects of Nature,
Inland Imports—Vide Customs,
Intoxicating Liquors or Drugs—Vide Abcaree,
Investment—Vide Commercial Agents,

Invoices—Vide Cuſtoms,
Inundation—Vide Calamities of Seaſon,
KAMAR—Vide Land Revenue,
Kanongnes—Vide Canoongoes,
Kapper—Vide Opium,
Kazees—Vide Cazees,
Keirdeh—Vide Opium,
Khanah Shomary—Vide Abwab,
Kharee noon—Vide Salt,
Khas Officers—Vide Ameens, Sezawuls,
Khodkaſht—Vide Tenants,
King's Officers—Vide Europeans,
Kiſmuts—Vide Diviſion of Eſtates, Regiſtry,
Kiſtbundees—Vide Land Revenue,
Koorhs—Vide Brahmens, Dureſs, Homicide,
Koſſeahs—Vide Mountaineers of Silhet,
Kotees—Vide Opium,
Kutkubala—Vide Mortgages,
Kutl khota—Vide Futwas,
Kuzanchee—Vide Native Officers,
Kyauls—Vide Cuſtoms,
LAKHERAJE—Vide Rent-free Lands,
Landlord and Tenant—Vide Diſtreſs,
Law officers—Vide Futwas, Native Officers,
Laſcars—Vide Sepoys,
Liquors and Drugs—Vide Abcaree,
MAAFEE—Vide Cuſtoms,
Macao—Vide Cuſtoms,
Madras—Vide Ditto,
Magiſtrates—Vide Courts,
Maiming—Vide Wounding,
Mal Adaulut—Vide Collectors, Courts,
Malachees—Vide Vagrants,
Mallkana—Vide Land Revenue,
Malzaminee—Vide Bail,
Mamoolee—Vide Abwab,
Manifeſts—Vide Cuſtoms,
Manilla—Vide Cuſtoms,
Manufacturers—Vide Commercial Agents, Opium, Salt,
Marine Board—Vide Board of Trade,
Marine Paymaſter—Vide Marine Department,
Maſter Attendant—Vide ditto,
Mehajens (Nouputee)—Vide Courts,
Melas—Vide Police,
Merchants—Vide Cuſtoms,
Military Stores—Vide Arms,
Miniſterial Officers—Vide Aſſiſtants, Native Officers, Regiſters,
Miſconduct—Vide Neglect,
Mitigation—Vide Pardon,
Mocururees—Vide Iſtumrarees,
Moftees—Vide Cazees,
Mollas—Vide Ditto,
Moolky Adaulats—Vide Benares,
Moſhairah—Vide Land Revenue,
Muchulka—Vide Dureſs,
Mudud Maſh—Vide Rent-free Lands,
Mudut—Vide Abcaree,
Muffuſil—Vide Land Revenue, Native Officers,
Muhals—Vide Land Revenue,
Muhulladar—Vide Police,
Muhtoot—Vide Abwab,
Mujray—Vide Land Revenue,
Munſifs—Vide Courts,
Murder—Vide Homicide,
Muſhuckuſſee—Vide Land Revenue,
Mutations—Vide Regiſtry,
Muzcoory Peons—Vide Proceſſes,
NANKAR—Vide Land Revenue,
Nupaul—Vide Cuſtoms,
Nazur—Vide Native Officers, Proceſſes,
Nezjote—Vide Land Revenue,
Note of Hand—Vide Bonds, Money Obligations,
Nukdee—Vide Land Revenue, Leaſes,
Nuzurana—Vide Abwab,
OBLIGATIONS—Vide Money Obligations,
Officers—Vide Native Officers,
Orchards—Vide Police,
PARTNERSHIP—Vide Accounts,
Payekaſht—Leaſes, Tenants,
Peons—Vide Proceſſes,
Pergunnas—Vide Land Revenue, Regiſtry,
Permits—Vide Cuſtoms,
Peſhcuſh—Vide Quit-rents,
Pilots—Vide Marine Department,
Poolbundy—Vide Embankments,
Pottahs—Vide Leaſes,
Precepts—Vide Proceſſes,
Priſoners—Vide Convicts,
Provincial Councils—Vide Rent-free Lands,
Pundits—Vide Dureſs, Native Officers,
Puniſhments—Vide Crimes and Puniſhments,

Purchaſe—Vide Sale and Gift,
Putteedars—Vide Joint Tenancy,
QUARTENNIAL Settlement—Vide Land Revenue,
Quinquennial Settlement—Vide ditto,
Quinquennial Regiſters—Vide Regiſtry,
RAHDARREE—Vide Sayer,
Rajkomars—Vide Females, Homicide,
Rayats—Vide Tenants,
Rebellion—Vide Treaſon,
Recognizance—Vide Bail,
Referees—Vide Arbitrations, Courts,
Reference of Suits—Vide ditto, ditto,
Rents—Vide Arrears, Diſtreſs, Land Revenue, Leaſes, Tenants,
Reſervoirs — Vide Embankments, Watercourſes,
Reſident—Vide Benares,
Retaliation—Vide Kiſſas,
Returns—Vide Proceſſes,
Revenue—Vide Abcaree, Arrears, Attachment, Land Revenue, Pilgrim Tax, Sayer, Stamps,
Revenue Board or Collector—Vide Board of Revenue, Collector of Revenue,
Riots—Vide Affrays, Diſpoſſeſſion,
Rozenadars—Vide Penſions,
Ruſſoom—Vide Land Revenue,
Ruſſud—Vide ditto,
SALIS—Vide Arbitration,
Scales and Weights—Vide Opium,
Seaſut—Vide Futwas, Homicide,
Security—Vide Bail,
Seizures—Vide Cuſtoms, Opium, Salt,
Separations—Vide Regiſtry,
Settlement—Vide Land Revenue,
Sequeſtration—Vide Attachment,
Sheanas—Vide Arrears of Revenue,
Silk—Vide Cuſtoms,
Silver-coin & Bullion—Vide Cuſtoms, Mints,
Smuggling—Vide Cuſtoms, Opium, Salt,
Spirituous Liquors—Vide Abcaree,
State Crimes—Vide Treaſon,
Stills—Vide Abcaree,
Stolen Property—Vide Houſebreaking, Robbery, Theft,
Stones—Vide Quarries,
Sudder—Vide Land Revenue, Native Officers,
Sugar—Vide Cuſtoms,
Summons—Vide Proceſs,
Sunnuds—Vide Rent-free Lands,
Surberacars—Vide Managers,
Sureties—Vide Bail, Farmers of Revenue,
Seriſhtadars—Vide Native Officers,
Suſpenſions Vide Remiſſion,
Syerbejuwas—Vide Vagrants,
TANKS—Vide Embankments,
Tannas—Vide Invalided Sepoys, Police,
Tarree—Vide Abcaree,
Taxes—Vide Sayer,
Tazeana—Vide Corporal Puniſhment,
Tazeer—Vide Futwas,
Tehſildars—Vide Sezawuls,
Tender—Vide Mortgage,
Tidewaiters—Vide Cuſtoms,
Tonnage Duty—Vide Marine Department,
Transfers—Vide Sale and Gift,
Treaſurer—Vide Collectors, Native Officers,
Treaſury—Vide Exchange, Mints,
Triennial Settlement—Vide Land Revenue,
Truſts—Vide Guardians, Managers,
Tuccavy—Vide Advances,
Tulbana—Vide Proceſs,
Tuſhkees—Vide Land Revenue,
UMPIRE—Vide Arbitration,
Under Farmers—Vide Farmers,
Under Tenants—Vide Tenants,
VACATION—Vide Adjournments,
Vakeels—Vide Pleaders,
Villages—Vide Regiſtry,
Vizeer's Dominions—Vide Cuſtoms,
WARDS—Vide Diſqualified Landholders,
Warrants—Vide Execution, Sentences,
Waſte Lands—Vide Land Revenue, Rent-free Lands,
Water-courſes—Vide Embankments,
Weapons—Vide Arms,
Weights and Scales—Vide Opium,
Widows—Vide Females, Marriage,
Witchcraft—Vide Sorcery,
ZAMINEE—Vide Bail,
Zemindars—Vide Landholders,
Zenana—Vide Diſtreſs, Females,
Zulas—Vide Courts.

SUPPLEMENT

TO THE

DIGEST OF REGULATIONS,

COMPRISING

ADDITIONS AND CORRECTIONS,

AND

COMPLETING THE SEVERAL ARTICLES TO THE CLOSE OF 1806.

VOLUME I.

A B C A R E E.

I. *LICENSES AND STAMP DUTY.*

33. THE Governor General in Council will order the withdrawing of the licenſe of any ſhop, which may appear injurious to the European troops quartered at a cantonment. *Beng. Ben. Ced. Prov.* 1806 *R.* 20. § 4. Page 3

II. *PLACES OF MANUFACTURE &c.*

5. In the margin *add,* Re-enacted 1806 *R.* 20. § 3. 3

15. Ditto Modified 1806 *R.* 20. § 3. and 4. 4

16. Ditto Re-enacted 1806 *R.* 20. § 3.

17. The prohibition of licenſing liquor ſhops within two Coſs of a military cantonment is reſcinded. *Beng. Ben. Ced. Prov.* 1806 *R.* 20. § 2.

18. The Collector is to conſult the Commanding Officer of any cantonment at which European troops are quartered, and ſhall be guided by his recommendation as to the diſtance at which licenſes may be granted; unleſs of opinion that the diſtance propoſed by the Commanding Officer is unneceſſarily great or otherwiſe objectionable; in which caſe he ſhall report the circumſtance to the Board of Revenue, who ſhall ſubmit their opinion to the Governor General in Council. *Beng. Ben. Ced. Prov.* 1806 *R.* 20. § 3.

19. If it ſhall appear to the Governor General in Council from any ſource of information, that ſhops, which may have been licenſed, are injurious to the European troops quartered in a cantonment, he will order the licenſes of ſuch ſhops to be withdrawn. *Beng. Ben. Ced. Prov.* 1806 *R.* 20. § 4.

III. *RATE OF TAX &c.*

23. For 5 Rupees *read,* 5 per cent.

26. The tax on ſpirituous liquors ſhall not be in force till the commencement of 1214 in the Pergunnas ceded by the Raja of Bhurutpoor. *Ced. Prov.* 1806 *R.* 12. § 7. 7

27.

7 27. The Board of Revenue ſhall reconſider the rates of duty now levied on ſhops ſituated near any military cantonment; and, if of opinion that the duty ſhould be increaſed, ſhall recommend the meaſure to the Governor General in Council. *Beng. Ben. Ced. Prov.* 1806 *R.* 20. § 5.

IV. *PENALTIES &c.*

8 18. At the end *add*, With forfeiture of licenſe in the latter caſe.

25. For *R.* 2. *read*, *R.* 6.

ABSENCE &c.

I. *JUDICIAL DEPARTMENT.*

14 41. If the Senior Judge of a Court of Circuit be prevented by indiſpoſition from making the half yearly circuit in his turn, the Governor General in Council, on receiving information thereof through the Nizamut Adaulut, will make proviſion for the caſe; and in the event of the indiſpoſition of a Judge whoſe turn it is to hold a monthly jail delivery, the Nizamut Adaulut may authorize any other Judge to hold it. *Beng. Ben. Ced. Prov.* 1806 *R.* 1. § 8.

42. During the abſence of the Senior Judge of a Court of Appeal, the Judge next in rank, or if only one Judge be preſent, ſuch Judge, ſhall perform all the duties of the Senior Judge. *Beng. Ben. Ced. Prov.* 1806 *R.* 1. § 9.

II. *REVENUE &c. DEPARTMENTS.*

17. If any Member of a Committee of embankments be unable to attend the annual meeting, the cauſe of his abſence ſhall be reported to the Governor General in Council. *Beng. Ben. Ced. Prov.* 1806 *R.* 6. § 5. *C.* 6.

ABSTRACT REGISTERS.

17 8. For ext. *Ben.* 1795 *R.* 31. § 2. *read*, *Ben.* 1795 *R.* 31. § 4.

ABUSIVE LANGUAGE.

20 14. Landholders, entruſted with the charge of Police in the Jungul Mehals, may take Razeenamas on complaints for abuſive language, if delivered within twenty four hours. *Beng.* 1805 *R.* 18. § 7. *C.* 10.

ABWAB.

22 26. Three years from the concluſion of a ſettlement are allowed for the delivery of conſolidated Pottahs in the Conquered Provinces. *Ced. Prov.* 1805 *R.* 8. § 20. *C.* 2.

ACCOMPLICES.

ACCOMPLICES.

After No 18 *insert*, Courts of Circuit shall not issue their warrant, except for acquittal, on an accomplice tried with the principal, when the trial of the principal is under reference to the Nizamut Adaulut. *Beng. Ben. Ced. Prov.* 1803 *R.* 53. § 6. *C.* 2. 24

ACCOUNTS.

II. *REVENUE DEPARTMENT.*

26. In the margin *add*, Re-enacted 1806 *R.* 6. to 8. 28

41. and 47. For *Ben. read*, ext. *Ben.* 30

53. The annual accounts of the expense of repairing the public embankments are to be prepared by the Collector with the assistance of the executive officer, or by such other Member of the Committee of embankments as the Governor General in Council may direct. *Beng. Ben. Ced. Prov.* 1806 *R.* 6. § 6. 31

54. Such accounts shall be taken into consideration at the annual, or at a special, meeting, or in circulation. *Beng. Ben. Ced. Prov.* 1806 *R.* 6. § 7.

55. And shall be submitted through the Civil Auditor to the Governor General in Council with his observations thereon. *Beng. Ben. Ced. Prov.* 1806 *R.* 6 § 8.

56. So the accounts of the repairs of any private embankments, if made by the officers of Government. *Beng. Ben. Ced. Prov* 1806 *R* 6. § 11.

57. The Collector is to establish, with the approbation of the Revenue Board, rules for keeping regular accounts of the pilgrim tax. *Beng.* 1806 *R* 4. § 7.

58. The Collectors are to furnish to the Civil Auditor all such accounts regarding pensions as he may require; and, in such form as he may prescribe. *Beng. Ben. Ced. Prov.* 1806 *R.* 22 § 6.

59. The Collectors are to insert at the foot of their accounts, until audit, all sums advanced for providing boats and bridges for troops on their march, and shall submit the accounts of such advances, through the prescribed channel of correspondence, for the orders of Government, after transmitting them for the remarks of the Commanding Officer. *Beng. Ben Ced Prov.* 1806 *R.* 11. § 4 *C.* 3.

60. The establishment and allowance of Tehsildars for revenue and Police duties are to be charged in the accounts of the Revenue and Judicial Department respectively. *Ben. Ced. Prov.* 1806 *R.* 21. § 5.

ACQUITTAL.

20. Revenue and Commercial Officers, acquitted on a charge of corruption, may sue the accuser for damages. *Beng. Ben. Ced. Prov.* 1806 *R.* 8. § 18 34

34 21. And Judicial Officers. *Beng. Ben. Ced. Prov.* 1806 *R.* 10. § 7.

21. On the acquittal of a Revenue or Commercial Officer on such a charge, the Governor-General in Council will order payment of his salary from the date of his suspension. *Beng. Ben. Ced. Prov.* 1806 *R.* 8. § 9.

23. So of a Judicial Officer. *Beng. Ben. Ced. Prov.* 1806 *R.* 10. § 8.

ACTIONS.

I. *WHAT MAY BE SUED &c.*

1. General Jurisdiction.

35 After No. 5 *insert*, And particularly the Regulations regarding the coin. *Beng.* 1793 *R.* 35. § 28. *Ced. Prov.* 1803 *R.* 45. § 52.

But in suits for any official act done by a public officer of Government pursuant to a special order of the Governor General in Council or the Boards of Revenue and Trade, Government is to be considered as the defendant. *Beng.* 1793 *R* 3 § 11. ext. *Ben.* 1795 *R.* 7. § 7. *Ced. Prov.* 1803 *R.* 2. § 15.

8. In the margin *add*, Re-enacted 1806 *R.* 8. § 18. *R.* 10. § 7.

37 39. For *R.* 16 § 9 *C.* 4 *read R.* 16. § 26. *C.* 4.

44. Zemindars in charge of Police in the Jungul Mehals, may be sued for the recovery of the amount lost by theft or robbery. *Beng.* 1805 *R.* 18 § 7 *C.* 18.

45. Persons, cutting a water-course through a public embankment, may be sued for damages by any person who shall sustain injury thereby. *Beng. Ben. Ced. Prov.* 1806 *R.* 6. § 12. *C.* 7.

46. Or through any private embankment. *Beng. Ben. Ced. Prov.* 1806 *R.* 6. § 15.

47. Revenue and Commercial Officers, acquitted on a charge of corruption, may sue the accuser for damages. *Beng. Ben. Ced. Prov.* 1806 *R.* 8. § 18.

48. And Judicial Officers. *Beng. Ben. Ced. Prov.* 1806 *R.* 10. § 7.

2. In Revenue Matters.

40 After No. 37 *insert*, Or for an authorized pension. *Beng.* 1793 *R.* 24. § 17. *Ben.* 1795 *R.* 34. § 14. *Ced. Prov.* 1803 *R.* 24. § 16.

41 After No. 47 *insert*, Pensions granted in Benares &c. as an indemnification for resumed rent-free land held on a permanent tenure, may be sued for, as other property. *Ben.* 1795 *R.* 34 § 2. *Ced. Prov.* 1803 *R.* 24. § 2.

Page

54. Agents for the ſale of ſtampt paper may be ſued for breach of truſt to the amount of the penalty ſpecified in their Sunnuds - *Beng. Ben. Ced. Prov* 1806 *R.* 13 § 8. 41

55. The penalties on ſuch agents, and all officers entruſted with the ſale of ſtampt paper, for ſelling ſtampt paper without the preſcribed authentications, are recoverable in Civil Courts. *Beng. Ben. Ced Prov.* 1806 *R.* 13 § 9.

56. And penalties on perſons vending ſtampt paper without a Sunnud for the purpoſe. *Beng Ben. Ced. Prov.* 1806 *R.* 13. § 8

3. In Private Rents.

1. For *R* 30 § 12. *read*, *R.* 47. § 6. *C.* 2.. 41

5. *Add*, *Ben.* 1795 *R.* 2. § 14. *C.* 5.

4. In Public Commerce.

After No. 1. *inſert*, And particularly the Regulations regarding the coin. *Beng.* 1793 *R* 35 § 28. *Ced. Prov* 1803 *R.* 45 § 52. 45

II. *WHAT MAY NOT BE SUED.*

1. In General Jurisdiction.

14. *Add*, *Ben.* (after 1ſt January 1807) 1806 *R* 17 § 5. 50

61. At the end *add*, Nor any ſuit of which the cauſe of action originated before the 14th October 1803. 54

65. The 15th April 1805 is to be the date for the limitation of actions in the Pergunnas ceded by the Raja of Bhurtpoor *Ced. Prov.* 1806 *R* 12. § 4. 55

2. In Revenue Matters.

After No 1. *inſert*, Nor for any official act done purſuant to a ſpecial order of the Governor General in Council or Board of Revenue. *Beng.* 1793 *R.* 3 § 11 ext *Ben.* 1795 *R* 7 § 7 *Ced. Prov.* 1803 *R.* 2. § 15.

12 For 1178 and 1179 Fuſſlee, *read*, 1178 Bungla and 1179 Fuſſilee.

4. In Public Commerce.

After No 7 *inſert*, Nor for any official act done purſuant to a ſpecial order of the Governor General in Council or the Board of Trade. *Beng.* 1793 *R.* 3. § 11. ext. *Ben.* 1795 *R.* 7 § 7. *Ced. Prov.* 1803 *R.* 2. § 15. 60

III. *WHERE*

III. *WHERE SUITS SHALL BE BROUGHT AND TRIED.*

1. In General Jurisdiction.

60 3. In the margin, *add*, Re-enacted 1806 *R.* 10. § 5.

61 7. 8. 11. 12. In the margin, *add*, Modified 1806 *R.* 10. § 10.

62 15 and 16. In the margin, *add*, Re-enacted 1806 *R.* 10. § 4.

63 29. For *Ben. read, Beng.*

64 38. Charges of corruption againſt any European Commercial or Revenue Officer, when preferred to a Zilla, City or Provincial Court, or to the Sudder Dewannee Adaulut, ſhall be tranſmitted with a tranſlation to the Governor General in Council. *Beng. Ben. Ced. Prov.* 1806 *R.* 8. § 4.

39. Or againſt any European Judicial Officer. *Beng. Ben Ced. Prov.* 1806 *R.* 10. § 4.

40. If the Governor General in Council ſhould deem it neceſſary that a formal inquiry ſhould be made into ſuch a charge, he will refer it, if againſt a Revenue or Commercial Officer, to a commiſſion appointed for the purpoſe. *Beng. Ben. Ced. Prov.* 1806 *R.* 8. § 6.

41. And if againſt a Judicial Officer, to ſuch a commiſſion, or to the eſtabliſhed Courts. *Beng. Ben. Ced. Prov.* 1806 *R.* 10. § 5.

42. And will direct a proſecution in the Supreme Court if deemed neceſſary; or the complainant may, if he think proper, proſecute originally in the Supreme Court. *Beng. Ben. Ced. Prov.* 1806 *R.* 8. § 19.

43. No ſecurity is to be required in the firſt inſtance for the proſecution of ſuch a charge, or of a ſimilar charge againſt a native officer; but may be required pending the trial, if ſubſequently deemed neceſſary. *Beng. Ben. Ced. Prov.* 1806 *R.* 10. § 10.

2. In Special Jurisdiction.

65 12. Suits againſt any public officer at the Preſidency, ſhall be received and tried in the Court of Zilla Twenty-four Pergunnas. *Beng.* 1806 *R.* 7. § 8.

4. In Public Commerce.

67 6. In the margin, *add*, A. D 1795.

7. In the margin, *omit*, A. D. 1795, and *add*, Modified 1800 *R.* 11. § 26.

9. In the margin, *add*, A D 1800 Modified 1806 *R.* 7. § 8.

10. In the margin for 1800, *read*, 1801.

Page

11. In the margin, *emit*, A. D. 1801. 67

13. Suits againſt the Collector of Cuſtoms at Calcutta and his officers are to be heard in the Adaulut of Zilla Twenty-four Pergunnas. *Beng.* 1806 *R.* 7. § 8.

IV. *WHERE SUITS SHALL BE RECEIVED AND TRIED.*

PRELIMINARY PROCESS.

1. In General Jurisdiction.

11. For § 15. *read*, § 5. 69

16. For *R.* 9. *read*, *R.* 3.

22. For ſecurities, *read*, ſureties. 70

2. In Privileged and Special Jurisdiction.

10. The proceſſes of a ſpecial commiſſion are to be ſerved by the Court, within whoſe juriſdiction the commiſſion is held or the party reſides. *Beng. Ben. Ced. Prov.* 1806 *R.* 8. § 13. 74

3. In Public Revenue.

2. In the margin, *add*, Modified 1806 *R.* 8. § 2. and 3. 74

After No. 5. *inſert*, Or an authorized penſion. *Beng.* 1793 *R.* 24. § 17. *Ben.* 1795 *R.* 34. § 14. *Ced. Prov.* 1803 *R.* 24. § 16. 75

After No. 9. *inſert*, On a complaint by a Collector againſt a landholder for reſiſtance to proceſs, the Court ſhall in the firſt inſtance require the defendant by proclamation to ſurrender himſelf within four weeks, on oath being made to the reſiſtance. *Beng.* 1793 *R.* 14. § 15. *Ben.* 1795 *R.* 6. § 22. *Ced. Prov.* 1803 *R.* 27. § 22.

Or againſt a Sudder farmer. *Beng.* 1793 *R.* 14. § 19. *Ben.* 1795 *R.* 6. § 26. *Ced. Prov.* 1803 *R.* 27. § 26.

Or againſt the ſurety of a landholder or farmer. *Beng.* 1793 *R.* 14. § 21. *Ben.* 1795 *R.* 6. § 28. *Ced. Prov.* 1803 *R.* 27. § 28.

On a complaint againſt a Tehſildar or the Collector for infraction of the rules of proceeding for the recovery of revenue arrears, the Court ſhall cauſe a copy of the complaint to be ſerved on him with a day fixed for his anſwer; and if the complainant ſhould not object to the validity of the demand ſtated in the anſwer the ſuit ſhall ſtop. *Ben.* 1795 *R.* 6. § 16. *Ced. Prov.* 1803 *R.* 27. § 16. *C.* 1.

If the Governor General in Council ſhould declare a purchaſe of land ſold for the recovery of revenue arrears forfeited on the grounds of its having been purchaſed by the defaulter himſelf, the purchaſer wiſhing to diſpute the forfeiture muſt proceed

according

75 according to Section 11, Regulation 3 of 1793. *Beng.* 1799 *R.* 7. §. 29. *C.* 4. ext. *Ben.* 1800 *R.* 5. § 26. *Ced. Prov.* 1803 *R.* 26. § 10.

11. On any complaint being preferred againſt an European Officer of Revenue for any act cognizable in a Civil Court under the Regulations, the Court, previouſly to calling on the officer for his anſwer, ſhall tranſmit a copy and tranſlation of it to the Governor General in Council. *Beng. Ben.* 1806 *R.* 8. § 2.

12. And the Court ſhall be guided by the orders of the Governor General in Council whether the ſuit ſhall be received as a public ſuit againſt Government or as a private ſuit againſt the officer. *Beng. Ben. Ced. Prov.* 1806 *R.* 8. § 3.

4. In Public Commerce.

6. In the margin, *add*, Modified 1806 *R.* 8. § 2. and 3.

78 39. *Add, Ced Prov.* 1803 *R.* 41. § 22.

79 46. Before 1801, *add, Beng.*

50. Or under the Regulations concerning opium and the cultivation of the poppy. *Ced. Prov.* 1803 *R.* 41. § 22.

51. On any complaint being preferred againſt any European Commercial Officer for any act cognizable in a Civil Court under the Regulations, the Court previouſly to calling on the officer for his anſwer ſhall tranſmit a copy and tranſlation of it to the Governor General in Council. *Beng. Ben. Ced. Prov.* 1806 *R.* 8. § 2.

52. And the Court ſhall be guided by the orders of the Governor General in Council whether to entertain the ſuit as a public ſuit againſt Government or as a private ſuit againſt the officer. *Beng. Ben. Ced. Prov.* 1806 *R.* 8. § 3.

TRIAL, JUDGMENT AND EXECUTION.

I. *IN GENERAL JURISDICTION.*

80 6. In the margin *add*, Modified 1803 *R.* 50. § 6.

83 After No. 31 *inſert*, And may poſtpone or countermand the ſale. *Beng.* 1793 *R.* 45. § 16. *Ben.* 1795 *R.* 20. § 16. *Ced. Prov.* 1803 *R.* 26. § 24.

87 After No. 73 *inſert*, And ſhall not impoſe the fine on recuſing witneſſes unleſs they perſiſt in their refuſal on being brought a ſecond time before the Court, at an interval of not leſs than a day. *Beng. Ben.* 1803 *R.* 50. § 2. *C.* 2. *Ced. Prov.* 1803 *R.* 8. § 25. *C.* 2.

Trials need not be poſtponed for the evidence of recuſing witneſſes longer than the Court may deem neceſſary. *Beng. Ben.* 1803 *R.* 50. § 2. *C.* 3. *Ced. Prov.* 1803 *R.* 8. § 25. *C.* 3.

76. For § 16 *read* § 10.

2. In

Page

2. In Special Jurisdiction.

7. Special commiſſions appointed to try any charge of corruption againſt a Revenue or Commercial Officer, are to be governed by the proviſions contained in the general Regulations for the Zilla and City Courts. *Beng. Ben. Ced. Prov.* 1806 *R.* 8. § 13. 88

8. And by any ſpecial inſtructions of the Sudder Dewannee Adaulut. *Beng. Ben. Ced. Prov.* 1806 *R.* 8. § 8.

9. And commiſſions appointed to try ſimilar charges againſt a judicial officer. *Beng. Ben. Ced. Prov.* 1806 *R.* 10 § 7.

3. In Public Revenue.

8. At the end *add*, And a copy of all the proceedings is to be furniſhed to the Collector as ſoon as practicable, if the Court acquit the party of the alleged reſiſtance. 89

After No. 14 *inſert*, The Court is to furniſh the Collector, as ſoon as practicable, with a copy of all the proceedings, in a ſuit wherein any money received as revenue may be adjudged to be not due. *Beng.* 1793 *R.* 14. § 30. *Ben.* 1795 *R.* 6. § 36. *Ced. Prov.* 1803 *R.* 27 § 33.

And when Government is caſt in any ſuit defended by Government. *Beng.* 1793 *R.* 14. § 46. *Ben.* 1795 *R.* 6. § 51. *Ced. Prov.* 1803 *R.* 27. § 48.

If a decree impoſing a penalty for the illicit ſale or manufacture of liquors or drugs cannot be recovered from any property of the party it may be commuted into one month's impriſonment. *Beng.* 1793 *R.* 51. § 3. *Ben.* 1795 *R.* 47 § 10. *Ced. Prov.* 1803 *R.* 40. § 29.

16. In the margin, *add*, A. D. 1795.—In the body for *R.* 5. *read*, *R.* 58.

21. Suits againſt European Officers of Revenue are to be tried under the rules for public or private ſuits reſpectively, according as the Governor General in Council may have directed them to be entertained as public or private ſuits. *Beng. Ben. Ced. Prov.* 1806 *R.* 8. § 3. 90

5. In Matters of Commerce.

After No. 18. *inſert*, Decrees againſt the officers of a Salt Chokee may be executed againſt their property; but their perſon, if attached, ſhall not be removed until notice ſhall have been given to the authority under which they are placed. *Beng.* 1798 *R.* 4. § 9. 92

21. For he or his officers, *read*, The Agent or his officers.

After No. 26. *inſert*, If a decree impoſing a penalty for illicit dealings in opium, cannot be recovered from any property of the party, it may be commuted to ſix months impriſonment. *Ced. Prov.* 1803 *R.* 41. § 19.

28.

93 28. Suits againſt Commercial European officers are to be tried under the rules for public or private ſuits reſpectively, according as Government may have directed them to be entertained as public or private ſuits. *Beng. Ben. Ced. Prov.* 1806 *R.* 8. § 3.

V. *SUMMARY SUITS.*

100 53. The penalties on perſons vending ſtampt paper without a written authority from a competent officer, are recoverable by ſummary proceſs in the Civil Courts. *Beng. Ben Ced. Prov.* 1806 *R.* 13. § 8.

54. And on the public officers and their agents, for ſelling ſtampt paper without the preſcribed atteſtations. *Beng. Ben. Ced. Pro.*. 1806 *R.* 13. § 9.

ADMINISTRATION.

102 3. In the margin, *add*, Modified 1806 *R.* 15. § 6.

4. On the death of any European Britiſh ſubject, inteſtate, the Judge of the Zilla or City ſhall make an immediate report to the Regiſter of the Supreme Court, and retain the property until letters of adminiſtration ſhall be produced, when the property ſhall be delivered to the perſon producing them. *Beng. Ben. Ced. Prov.* 1806 *R.* 15. § 6.

ADOPTION.

3. For *R.* 36. § 5. *read*, *R.* 36. § 4. and for *R.* 17. § 5. *read*, *R.* 17. § 4.

ADVANCES.

1. Revenue Department.

104 16. The charges incurred by Government, in repairing any private embankment which the Zemindar or farmer may have neglected to repair after being required thereto, ſhall be recovered from ſuch Zemindar or farmer. *Beng. Ben. Ced. Prov.* 1806 *R.* 6. § 11.

2. Commercial Department.

After No. 12. *inſert*, The Salt Agent ſhall cauſe the advances to be made in his own preſence, or in that of an officer appointed for the purpoſe: and ſhall take receipts under the ſignature of the party and the atteſtation of at leaſt two creditable witneſſes. *Beng.* 1793 *R.* 29. § 9.

AFFRAYS.

108 30. The Collector of the Pilgrim tax is, with the aſſiſtance of the Police officers, to eſtabliſh rules for guarding againſt accidents and confuſion, and for preſerving regularity and good order at the temple of Jugunnaut. *Beng.* 1806 *R.* 4. § 8.

Page

AGENTS.

1. Revenue Department.

After No. 3. *insert*, Landholders are expected to enjoin their agents to behave with moderation and good faith towards the tenants. *Beng.* 1793 *R.* 1. § 7. *Ben.* 1795 *R.* 27. § 4. *C.* 2. *Ced. Prov.* 1803 *R.* 25. § 34. *Conq. Prov.* 1805 *R.* 9. § 24. 109

14. and 15. In the margin, *add*, Modified 1806 *R.* 13. § 4. 110

15. For *Ced. Prov.* 1803 *R.* 43. § 14. *C.* 5. *read*, *Ced. Prov.* 1806 *R.* 13. § 7.

19. The Collector is to give Sunnuds to all agents employed by him for the ſale of ſtampt paper. *Beng. Ben. Ced. Prov.* 1806 *R.* 13. § 4.

20. Alſo any other officer entruſted with the ſale of ſtampt paper. *Beng. Ben. Ced. Prov.* 1806 *R.* 13. § 5.

21. Such agents are liable to proſecution for breach of truſt. *Beng. Ben. Ced. Prov.* 1806 *R.* 13. § 5.

22. On the death, removal or reſignation of ſuch agents, their Sunnuds ſhall be cancelled. *Beng. Ben. Ced. Prov.* 1806 *R.* 13. § 5.

23. A liſt of ſuch agents ſhall be ſent to the Civil Courts and affixed in the Pergunna Cuchery, and any alterations ſhall be notified without delay. *Beng. Ben. Ced. Prov.* 1806 *R.* 13. § 6.

24. Any perſon, unleſs thus authorized as an agent, if convicted of vending ſtampt paper, ſhall be liable to a penalty of ten times the duty on all paper ſold by him, with forfeiture of the paper found in his poſſeſſion. *Beng. Ben. Ced. Prov.* 1806 *R.* 13. § 8.

25. And ſuch agents to a ſimilar penalty on all paper ſold by them without the preſcribed atteſtations. *Beng. Ben. Ced. Prov.* 1806 *R.* 13. § 9.

APPEALS.

I. *WHAT MAY BE APPEALED.*

2. In the Appellate Jurisdiction of Zilla Courts.

24. The Provincial Courts of Appeal may remove to their own Court, and try, any appeals to the Judge from the deciſions of the Regiſter; in caſe any great delay ſhould be expected to ariſe from the abſence of the Judge. *Beng. Ben. Ced. Prov.* 1805 *R.* 2. § 14. *C.* 3. 118

3. Extraordinary Tribunals.

2. and 3. In the margin, *add*, Superſeded 1806 *R.* 22. § 3.

120 20. The appeal allowed from the decision of a Collector to the Board, and from the decision of the Board to the Governor General in Council, on claims to pensions, is superseded. *Beng. Ben. Ced. Prov.* 1806 *R.* 22. § 3.

II. *RECEIPT OF APPEALS.*

1. In Ordinary Jurisdiction.

123 25. and 26. For *R.* 16. § 18. *read*, *R.* 16. § 15. *C.* 1.

After No. 26. *insert*, A single Judge of a Court of Appeal may determine on the sufficiency of securities. *Beng.* 1794 *R.* 7. § 12. *C.* 5. ext. *Ben.* 1795 *R.* 16. § 15. *C.* 1.

After No. 29. *insert*, The same fee, except in the case of paupers, shall be paid on appeals now depending. *Beng.* 1795 *R.* 38. § 10. *C.* 1. ext. *Ben.* 1795 *R.* 60. § 2.

124 42. In the margin, *add*, Modified 1805 *R.* 2. § 12.

2. Process after Admission.

128 15. For *R.* 16. § 18. *read*, *R.* 16. § 15. *C.* 1.

130 34. The rules regarding attachments by a Zilla Court are applicable to attachments continued during an appeal, or ordered by an Appeal Court in default of the required security. *Beng. Ben. Ced. Prov.* 1806 *R.* 2. § 7.

4. Extraordinary Tribunals.

133 9. In the margin, *omit*, A. D. 1805.

III. *TRIAL OF APPEALS.*

1. In Ordinary Jurisdiction.

136 After No. 36. *insert*, Provincial Courts of Appeal are to furnish the Collector, as soon as practicable, with a copy of all their proceedings, when they confirm a Zilla decision adjudging a demand of revenue to be not due. *Beng.* 1793 *R.* 14. § 30. *Ben.* 1795 *R.* 6. § 36. *Ced. Prov.* 1803 *R.* 27. § 33.

Or when they reverse a Zilla decision adjudging such a demand to be due. *Beng.* 1793 *R.* 14 § 31. *Ben.* 1795 *R.* 6 § 37. *Ced. Prov.* 1803 *R.* 27. § 34.

Or when they give judgment against Government in any suit defended under the orders of Government or of the Revenue Board. *Beng.* 1793 *R.* 14. § 46. *Ben.* 1795 *R.* 6. § 51. *Ced. Prov.* 1803 *R.* 27. § 48.

Or when they confirm or quash a Zilla decision for the acquittal or conviction of a landholder of resistance to a Collector's process; and a copy of the decision shall be sent to Government, if convicting the landholder, and it be not appealed or not appealable.

pealable, or be confirmed by the Sudder Dewannee Adaulut. *Beng.* 1793 *R.* 14. § 16. 136
Ben. 1795 *R.* 6. § 23. *Ced. Prov.* 1803 *R.* 27. § 23.

The ſame in caſes of reſiſtance by a Sudder farmer. *Beng.* 1798 *R.* 14. § 19. *Ben.* 1795 *R.* 6. § 26. *Ced. Prov.* 1803 *R.* 27. § 26.

Or a ſurety for a landholder or farmer. *Beng.* 1793 *R.* 14. § 21. *Ben.* 1795 *R.* 6. § 28. *Ced. Prov.* 1803 *R.* 27. § 28.

The copy of any deciſion confirming on appeal a judgment againſt a miniſterial officer of a Court, being a covenanted ſervant of the Company, is to be tranſmitted to Government. *Beng.* 1793 *R.* 13. § 9. *C.* 9. ext. *Ben.* 1795 *R.* 12. § 2. *Ced. Prov.* 1803 *R.* 12. § 12. *C.* 9.

Or againſt a native miniſterial officer. *Beng.* 1793 *R.* 13. § 9. *C.* 8. ext. *Ben.* 1795 *R.* 12. § 2. *Ced. Prov.* 1803 *R.* 12. § 12. *C.* 8.

Provincial Courts of Appeal are to ſend to Government the copy of a ſimilar deciſion againſt a law officer of a Court. *Beng.* 1793 *R.* 12. § 8. *C.* 5. ext. *Ben.* 1795 *R.* 11. § 2. *Ced. Prov.* 1803 *R.* 11. § 8. *C.* 5.

And the Sudder Dewannee Adaulut. *Beng.* 1793 *R.* 12. § 8. *C.* 6. ext. *Ben.* 1795 *R.* 11. § 2. *Ced. Prov.* 1803 *R.* 11. § 8. *C.* 6.

The copy of a deciſion in appeal confirming a judgment of forfeiture of land for reſiſtance to Zilla Courts, is to be ſent to Government by the Provincial Court, if not further appealed or not appealable, and by the Sudder Dewannee Adaulut if paſſed by them. *Beng.* 1793 *R.* 4. § 22. ext. *Ben.* 1795 *R.* 8. § 2. *Ced. Prov.* 1803 *R.* 3. § 23.

Or a forfeiture of leaſe. *Beng.* 1793 *R.* 4. § 24. ext. *Ben.* 1795 *R.* 8. § 2. *Ced. Prov.* 1803 *R.* 3. § 25. *C.* 1.

The Sudder Dewannee Adaulut ſhall ſend to Government, a copy of any deciſion paſſed by them confirming on appeal a judgment of forfeiture of land for reſiſtance to a Provincial Court of Appeal. *Beng.* 1793 *R.* 5. § 23. ext. *Ben.* 1795 *R.* 9. § 6. *Ced. Prov.* 1803 *R.* 4. § 23. *C.* 1.

Or a forfeiture of leaſe. *Beng.* 1793 *R.* 5. § 25. ext. *Ben.* 1795 *R.* 9. § 6. *Ced. Prov.* 1803 *R.* 4. § 25.

65. For Reg. 12 *read*, *R.* 2. 139

2. Process of Appeal Courts.

13. For *Ben.* 1794 *read*, *Beng.* 1794. 141

15. In the margin *add*, A. D. 1796.

16. In the margin *add*, A. D. 1803.

17. In the margin *omit*, A. D. 1803.

3. In the Appellate Jurisdiction of Zilla Courts.

12. For ſuits *read*, In ſuits. 142

15. For 1805 *read*, 1803.

20.

143 20 Registers, during the absence of the Judge, shall not try any appeals from the Commissioners, unless specially authorized by Government, nor any appeals from their own decisions; which shall be removed to, and tried by, the Provincial Court, in case the absence of the Judge should be protracted. *Beng. Ben. Ced. Prov.* 1805 *R.* 2. § 14. *C.* 3.

APPOINTMENT.

147 After No. 19. *insert*, The Magistrate of Benares may appoint others in the room of such watchmen of the inhabited closes as are inefficient. *Ben.* 1795 *R.* 17. § 28.

148 After No. 27 *insert*, The law officers of the Zilla and City Courts are to be head Commissioners of lawsuits in virtue of their office. *Beng. Ben. Ced. Prov.* 1805 *R* 15. § 2.

If the appointment of a head Commissioner besides the law officers be deemed necessary the Sudder Dewannee Adaulut may authorize it. *Beng. Ben. Ced. Prov.* 1805 *R.* 15. § 5.

APPRAISERS.

153 4. For repeated *read*, Repealed.

ARBITRATION.

WHAT MAY BE REFERRED.

155 After No. 15 *insert*, Three or four merchants shall be convened to value Shawl goods at the Benares Custom-house, if the importer's invoice be not produced. *Ben.* 1795 *R.* 3. § 11. *C.* 5.

ARREARS OF PUBLIC REVENUE.

I. *WHAT IS AN ARREAR &c.*

1. In the Land Revenue.

161 19. At the end *add*, *C.* 1.

2. In matters connected with the Revenue.

163 After No. 10 *insert*, The Malikana of the proprietor of a farmed estate is to be recovered from the farmer by the same process with arrears of revenue. *Beng.* 1793 *R.* 8. § 46.

III. *PROCESS AGAINST THE PERSON.*

178 40. For *Ben. read, Beng. Add, Ben.* 1800 *R.* 5. § 25. *Ced. Prov.* 1803 *R.* 27. § 15. *C.* 4.

IV. *PROCESS AGAINST THE ESTATE.*

1. By Attachment.

181 At the top of the page, for Person, *read*, Estate.

2. By Sale.

186 7. *Add, Ced. Prov.* 1803 *R.* 25. § 7. *C.* 9.

Page

12. For 1803 *R.* 44. *read*, 1863 *R.* 47. 186

44. For fortuitous *read*, fictitious. 189

45. For *Beng.* 1793 *read*, *Beng.* 1799.

After No. 49 *insert*, Government reserves to itself a right of ordering a sale of land in Benares for the recovery of arrears. *Ben.* 1800 *R.* 5. § 26. 190

V. *SUIT IN COURT.*

10. In the margin *add*, Modified. 1806 *R.* 8. § 2. and 3. 192

11. For *R.* § 2. 15. *read*, *R.* 2 § 15

21. For § 31 *read*, § 39. 194

26. For *R.* 7. *read*, *R.* 27. 195

38. For *R.* 30. *read*, *R.* 33. 196

46 On any complaint being preferred against a Collector for any act cognizable by a Civil Court, the Judge shall, previous to calling on the Collector for his answer, transmit the complaint to the Governor General in Council. *Beng. Ben. Cod. Prov.* 1806 *R.* 8. § 2. 197

47. Who will determine whether it shall be considered as a public or private suit; and the Court shall proceed to try the suit under the rules for public or private suits respectively, according as the Governor General in Council may determine. *Beng. Ben. Cod. Prov.* 1806 *R.* 8. § 3.

ARREARS OF PRIVATE RENTS.

I. *RULES FOR THE RECOVERY.*

2. For 5 *read*, *R.* 45. 198

7. In the margin *add*, Postponed 1794 *R.* 2. § 2 *R.* 4. § 4. Modified 1794 *R.* 4. § 2.

10. For *Ben. read*, ext. *Ben.*

11. For *R.* 3. *read*, *R.* 33.

20. At the end *add*, *C.* 1.

24. For § 27. *read*, § 29. 199

II. *RECOVERY BY DISTRESS.*

1. RESTRICTIONS ON THE DISTRAINER.

22. For *C.* 1 *read C.* 2. 203

2. Mode of Making the Distress.

206 19. In the margin *add*, Reſcinded 1795 *R.* 35. § 2.

3. Mode of Selling the Distress.

207 8. In the margin *add*, Modified 1799 *R.* 7. § 4.

208 9. At the end *add*, *C.* 1.

10. In the margin *omit*, ditto.

15. After weavers' *inſert*, And ſalt manufacturers.

209 17. At the end *add*, And § 27. *C.* 2.

ARTIFICERS.

212 5. The Collector's officer, and the Police officers on his application, ſhall afford their aid in providing coolies, bearers &c. for troops on their march. *Beng. Ben. Ced. Prov.* 1806 *R.* 11. § 3. *C.* 1.

6. Police officers are to aſſiſt travellers in procuring bearers, coolies &c. but ſhall be diſmiſſed if they compel perſons to ſerve on ſuch occaſions who are not accuſtomed to act as ſuch: the perſons ſo employed may return from the firſt Police ſtation of the next Zilla unleſs they voluntarily agree to the contrary; the Police officer is to adjuſt their rate of hire, and may require the whole or a part to be paid in advance: and if the traveller refuſe to comply with the adjuſtment he will not be entitled to aſſiſtance. *Beng. Ben. Ced. Prov.* 1806 *R.* 11. §. 8.

7. Perſons travelling with eſcorts ſhall not ſend Sepoys into the villages to preſs coolies, bearers, dandies &c. but Police officers on proper application will afford aſſiſtance. *Beng. Ben. Ced. Prov.* 1806 *R.* 11. § 9. *C.* 7.

ASSISTANTS.

1. Judicial Department.

216 5. to 16, In the margin *add*, Re-enacted 1806 *R.* 10. § 2. &c.

217 17. In the margin *add*, Modified 1801 *R.* 2. § 7. and 14.

219 39. When a charge of corruption &c. againſt an Aſſiſtant to a City or Zilla Court, Civil or Criminal, is preſented to the Court or to the Provincial Court of Appeal or to the Sudder Dewannee Adaulut; or a ſimilar charge againſt an Aſſiſtant to a Provincial Court of Appeal or Court of Circuit is preſented to the Court of Appeal or to the Sudder Dewannee Adaulut, or a ſimilar charge againſt an Aſſiſtant to the Sudder Dewannee

or

Pag

or Nizamut Adaulut is preſented to the Sudder Dewannee Adaulut; the Court receiving ſuch charge ſhall tranſmit a copy and tranſlation to the Governor General in Council. *Beng. Ben. Ced. Prov.* 1806 *R.* 10. § 4. 219

40. On receipt of ſuch charge, or of any information communicated directly to Government, the Governor General in Council, after calling for any explanation or making any previous inquiry deemed proper, will, if a further inquiry ſhould appear neceſſary, refer the charge for trial to any of the eſtabliſhed Courts or to a ſpecial commiſſion. *Ibid* § 5.

41. On ſuch charge being referred for trial the accuſed ſhall be ſuſpended from office and ſalary; but, on his acquittal, the Governor General in Council will order payment thereof from the date of his ſuſpenſion. *Ibid* § 8.

42. Sections 17, 18, and 19, Regulation 8 of 1806, are equally applicable to ſuch charges. *Ibid* § 7.

43. Security ſhall not be demanded in the firſt inſtance for the proſecution of any ſuch charge nor of any charge under Regulation 8 of 1806, but may be required if deemed neceſſary during the inquiry. *Ibid* § 10.

2. Revenue &c. Departments.

5. In the margin *add*, Modified 1806 *R.* 8. § 2. and 3. 220

33. On any complaint being preferred againſt a Revenue or Commercial Aſſiſtant, for any act cognizable by a Civil Court, the Judge, previouſly to calling on him for his anſwer, ſhall tranſmit a copy and tranſlation of the complaint to the Governor General in Council. *Beng. Ben. Ced. Prov.* 1806 *R.* 8. § 2. 222

34. And ſhall be guided by the orders of the Governor General in Council whether to receive the complaint as a public or private ſuit. *Ibid* § 3.

35. On the receipt of any charge of corruption againſt ſuch Aſſiſtant, the Court ſhall tranſmit a copy and tranſlation of it to the Governor General in Council. *Ibid* § 4.

36. The Governor General in Council, after calling for any explanation or making any previous inquiry deemed proper on a charge thus tranſmitted, or any information communicated directly to Government, will determine whether there be grounds for a formal inquiry. *Ibid* § 5.

37. And will appoint Commiſſioners for this purpoſe, if a ſpecial inquiry appear to be neceſſary. *Ibid* § 6.

38. On the appointment of ſuch a commiſſion the officer ſhall be ſuſpended from office and ſalary: but if he be acquitted the Governor General in Council will order payment from the date of his ſuſpenſion. *Ibid* § 9.

222 39. If ſuch charge ſhall appear to be without foundation the accuſed may proſecute the informer for damages. *Ibid* § 18.

40. The Governor General in Council will paſs ſuch final order on ſuch charge as may appear to be proper, and will, if neceſſary, direct a proſecution in the Supreme Court. *Ibid* § 17.

41. Or may direct originally a proſecution in the Supreme Court inſtead of the ſpecial inquiry here provided; and individuals, may themſelves have recourſe to the Supreme Court. *Ibid* § 19.

ATTACHMENT.

I. *IN REVENUE MATTERS.*

225 29. In the margin *add*, Modified 1801 *R.* 1. § 2.

II. *IN JUDICIAL MATTERS.*

230 28. For § 10. *read*, § 7. *C.* 10.

AUDITOR OF ACCOUNTS.

232 10. The Collectors of Revenue are to report to the Civil Auditor, in three months, a liſt of all penſions adjudged by them or authorized by Government: and the auditor ſhall be guided by ſuch liſts in his audits of the penſions, applying to the Board of Revenue in caſes of doubt. *Beng. Ben. Ced. Prov.* 1806 *R.* 22. § 4.

11. The Collectors are to furniſh the Civil Auditor with all ſuch accounts and information regarding penſions as he may require, and are to adhere to ſuch forms as he may preſcribe. *Beng. Ben. Ced. Prov.* 1806 *R.* 22. § 6.

12. Penſions authorized by the Board of Revenue or Governor General in Council are to be notified to the Civil Auditor. *Beng. Ben. Ced. Prov.* 1806 *R.* 22. § 5.

AUMEENS.

I. *HOW TO BE APPOINTED.*

234 19. At the end, *add*, *C.* 14.

235 24. After *Ced. Prov.* *inſert*, 1803.

BAIL AND SECURITY.

II. *IN APPEALS.*

242 9. At the end, for *C.* 6. *read*, *C.* 5.

243 After No. 14 *inſert*, The Judge of a Court of Appeal who remains at the Sudder ſtation during the circuit of the other two Judges may decide on the ſufficiency of ſecurities. *Beng.* 1794 *R.* 7. § 12, *C.* 5. ext. *Ben.* 1795 *R.* 16. § 15. *C.* 1.

IV. *IN SPECIAL CASES.*

Page

13. At the end *add*, *C.* 1. 247

16. In the margin *add*, Modified 1803 *R.* 48. § 3. 248

BAIL AND RECOGNIZANCE.

I. *IN ORDINARY CASES.*

3. For § 22. *read* § 7. 248

9. *Ced. Prov.* for *R.* 37. *read*, *R.* 36. 249

After No. 14 *insert*, Similar notice of a monthly jail delivery for a city is to be affixed at the office of the Kotwal and of each Darogha. *Beng.* 1793 *R.* 9. § 13. ext. *Ben.* 1795 *R.* 16. § 4. *C.* 3.

17. For *Beng. read*, *Ben.* and for *Ben. read*, *Beng.*. 250

20 In the margin *omit*, Re-enacted 1806 *R.* 15. § 2.

21. In the margin *add*, Re-enacted 1806 *R.* 15. § 3. and 5.

26. Perſons committed on a charge of forging the ſtamps ſhall be kept in cloſe cuſtody if unable to give bail in a ſufficient ſum. *Beng. Ben. Ced. Prov.* 1806 *R.* 13. § 12.

27. If a Magiſtrate, who has not qualified as Juſtice of Peace, ſhould deem that there are ſufficient grounds for bringing to trial an European Britiſh ſubject for an unbailable offence, he ſhall ſend the accuſed in ſafe cuſtody to the Juſtices of the Peace in Calcutta with the witneſſes againſt him. *Beng. Ben. Ced. Prov.* 1806 *R.* 15. § 3.

28. And in bailable offences ſhall report the caſe to Government, and explain to the complainant the courſe to be taken by application to the Calcutta Juſtices or Grand Jury. *Ibid* § 5.

BENARES.

II. *LIMITATION OF DATES.*

6. *Add*, On reimburſement to the farmer of his loſs which ſhall be inquired into and awarded by the Court. 256

29. The proviſions of Regulations 15 of 1793 concerning intereſt are to have effect in the province of Benares from the commencement of the year 1807. 1806 *R.* 17. § 2. 258

30. If the cauſe of action aroſe before the year 1807, the Courts ſhall award intereſt at the rate ſtipulated, or according to the uſages of the province in caſe of no ſpecific rate being ſtipulated. *Ibid* § 3.

31. And at no higher rate than one per centum per menſem, if the cauſe of action ſhall have ariſen after. *Ibid* § 4.

238 32 The forfeiture of interest by Section 8, Regulation 15 of 1793, and of principal by Section 9 shall not be applicable to contracts bonâ fide entered into before the year 1807. *Ibid* § 5.

33. Section 10 for the redemption of mortgaged property on liquidation of the principal with simple interest, shall not be applied to engagements contracted before the year 1807. *Ibid* § 6.

BENGAL &c.

1. CONSTITUTION.

272 27. For 1805 *read*, 1804

35. and 36. For *R.* 1. *read*, *R.* 7.

11. LIMITATION OF DATES.

274 5 For § 3. *read*, § 2.

275 22 and 23 At the end *add*, *C.* 1.

BOARD OF REVENUE.

I. *CONSTITUTION.*

279 18. For § 63. *read*, § 58.

22. For § 64. *read*, § 68.

280 35 For § 25. *read*, § 45.

II. *GENERAL AUTHORITY.*

282 11. In the margin *add*, Rescinded 1806 *R.* 22. § 3.

284 36. For *R.* § 7. *read*, *R.* 5. § 7.

285 44 For § 9. *read*, §, 16.

52 On any claim to a pension not exceeding 100 Rupees the Collectors in the Ceded Provinces shall submit their proceedings with an opinion on the merits of the case to the Board of Revenue, who shall finally decide on the claim. *Beng. Ben. Ced. Prov.* 1806 *R.* 22. § 2.

53. And the Collectors in Bengal &c. on any claim to a pension not exceeding 50 Rupees. *Ibid* § 3.

54. Also on the death of persons receiving pensions not exceeding the above limitations respectively, but the Board shall not confirm a pension to the heir except on the ground of a good title to the indulgence of Government; and shall report, for the orders

of

Page

of the Governor General in Council, every claim to a penſion exceeding the above amounts reſpectively. *Ibid* § 3. 285

55. The appeal from the deciſion of the Collector to the Board, and from the deciſion of the Board to the Governor General in Council, is ſuperſeded. *Ibid* § 3

56. The Civil Auditor is to apply to the Board for orders in any caſe of doubt in the audit of penſions. *Ibid* § 4.

57. The Board, on authorizing a penſion, ſhall notify it to the Auditor. *Ibid* § 5.

58. If it ſhould be propoſed to commute a penſion for a grant of rent-free land, the Collector ſhall report to the Board where land conveniently ſituated for the party can be procured. *Ibid* § 10.

59. And the Board ſhall ſubmit their opinion, with a draft of the propoſed Sunnud for the land, to the Governor General in Council. *Ibid* § 11.

60. The expenſes of ſupplying troops on their march ſhall be ſubmitted by the Collector to the Governor General in Council through the Board. *Beng. Ben. Ced. Prov.* 1806 *R.* 11. § 4. *C.* 3.

61. And any claim to compenſation for injury done by troops on their march. *ibid R.* 11. § 5. *C.* 2.

62. And any complaint of miſbehaviour in troops on their march, which may appear well founded and of ſufficient importance. *ibid R.* 11 § 6.

63. Revenue officers ſhall tranſmit immediately to the Board, who will ſubmit it with their remarks to the Governor General in Council, a ſtatement of the permanent guards required by them. *ibid R.* 11. § 15. *C.* 1.

64. And on the 1ſt day of each month a ſtatement of guards, eſcorts and detachments employed in the preceding month. *ibid R.* 11. § 17.

III. *SAYER STAMPS &c.*

5. At the end *add*, *Ced. Prov.* 1803 *R.* 38. § 18. 285

7. For 1803 *R.* 38. § 18. *read*, 1805 *R.* 6 § 40. *C* 2. 286

9. In the margin *add*, Re-enacted 1800 *R* 6. § 3.

51. The Board are veſted with the control over the collection of the tolls on canals and ferries. *Beng.* 1806 *R.* 18. § 13. 285

52. The Secretary to the Board is to give Sunnuds to the agents employed by him for the ſale of ſtampt paper. 1806 *R.* 13. § 5.

289 53 The Collector shall report to the Board, who shall submit the case to the Governor General in Council, when of opinion that the distance proposed by the Commanding Officer of a military cantonment for the establishment of the liquor shops is unnecessarily great. *Beng. Ben. Ced. Prov.* 1806 *R.* 20 § 3.

54 The Board shall reconsider the duty levied on shops situated near a military cantonment, and shall recommend to Government any increase which may appear advisable. *Beng. Ben. Ced. Prov.* 1806 *R.* 20. § 5.

V. *DUTIES IN REGARD TO LAND.*

294 40. For 1800 *R.* 7 *read*, 1800 *R* 5.

295 45. Before 1800 *insert*, *Beng. Ben.*

51. For all matters *read*, any matter.

VI. *SETTLEMENT OF THE LAND REVENUE.*

297 21. At the end *add*, *Ced Prov.* 1803 *R.* 25. § 29.

23. For *R.* 43 *read*, *R.* 42.

298 28. For *Ben.* 1795 *R.* 38. § 7. *Ced. Prov.* 1795 *R.* 48. § 6. *read*, *Ben* 1795 *R.* 43 § 6.

300 51. Before 1801, *insert*, *Beng. Ben.*

54. For *R* 32. *read*, *R.* 31.

VII. *COLLECTION OF THE REVENUE.*

304 41. Tehsildars in Benares and the Ceded Provinces are not to be suspended except by order of Government or of the Board, and shall be nominated by the Collector to the Board. *Ben. Ced. Prov* 1804 *R* 5 § 10.

42 On the death, removal &c. of a Tehsildar in Benares, or the Ceded Provinces, the Collector is to report, through the Board, to the Governor General in Council the personal allowance and establishment necessary for the successor for the collection of the Revenue. *Ben. Ced. Prov.* 1806 *R.* 21. § 2.

BOARD OF TRADE.

1. PUBLIC SUITS.

305 9. For *Ced Prov.* 1805, *read*, *Ced. Prov.* 1803 and for *Ben.* 1803, *read*, *Ben.* 1805

307 29 For *R.* 2. *read*, *R* 6.

II. *SALT DEPARTMENT.*

18. In the margin, *omit*, Re-enacted 1803 *R* 6. § 4. *C.* 5.

III. *CUSTOMS.*

Page

III. *CUSTOMS.*

1. and 2. In the margin, *add*, Re-enacted 1801 *R.* 11. § 20. and 21. 309

5. In the margin, *omit*, A. D. 1793.

8. In the margin, *add*, Re-enacted 1801 *R.* 11. § 13. *C.* 9. 312

10 and 11. In the margin, *add*, Reſcinded 1795 *R.* 39. § 2.

14. Before 1795, *inſert*, *Ben.*

19. In the margin, *add*, Modified 1800 *R.* 11. § 22. 313

26. After *Beng.* *inſert*, *Ben.*

36. After *R.* 11. § 20. *add*, *C.* 1. 314

37 For goods, *read*, the goods, and *add*, at the Calcutta Cuſtom-houſe.

38. After *Beng.* *add*, *Ben.*

39. After *R.* 11. § 21. *add*, *C.* 1.

40. *Add*, at the Calcutta Cuſtom-houſe.

V. *ALL DEPARTMENTS.*

10. For officers, *read*, ſuch officers. 317

23. And regarding Zilla Bundelkhund, 1805 *R.* 8. § 8. *C.* 4. 318

24. Commercial officers are to tranſmit immediately to the Board, who ſhall ſubmit it, with their remarks, to the Governor General in Council, a ſtatement of the permanent guards required by them. *Beng. Ben. Ced. Prov.* 1806 *R.* 11. § 15. *C.* 1.

25. And on the firſt day of each month a ſtatement of the guards, detachments and eſcorts, employed in the preceding month. *Beng. Ben. Ced. Prov.* 1806 *R.* 11. § 17.

BOATS.

17. Every boat employed in tranſporting ſalt ſhall be furniſhed with a Chelan from the officer in charge of the Gola whence the ſalt is cleared out. *Beng.* 1806 *R.* 9. § 2 *C.* 2. 319

18. Such Chelan ſhall, beſides all particulars of the ſalt, contain the names of the proprietor and Mangee of the boat, and the deſcription, burden, and number of oars of the boat. *Ibid R* 9. § 2 *C.* 3.

19. The Chelan muſt be kept conſtantly on board of the boat, under pain of confiſcation of the ſalt, if not produced at a moment's warning. *Ibid R.* 9. § 3.

20. The Chokee officers are to examine the ſalt perſonally on board of every boat coming to their ſtation, and ſhall not require the removal of the Chelan from on board. *R.* 9. § 4 *C.* 2.

319 21. The Collector, on receiving notice of the approach of any troops, on their march, ſhall iſſue orders to the landholders &c. and depute an officer to aſſiſt in providing boats at the rivers or Nullas where neceſſary. *Beng. Ben. Ced. Prov.* 1806 *R.* 11 § 3 *C.* 1

22. And the Commanding Officer ſhall grant a certificate to the perſon who may provide ſuch boats, ſpecifying the number of boats and boatmen, the burthen of the boat, and the number of days employed. *R.* 11. § 4. *C.* 1.

23. The Collector, on receipt of ſuch certificate, with a detail of the expenſe, ſhall communicate it to the Commanding Officer, who ſhall certify thereon whether the ſervices were performed, and any objection which he may have to offer. *R.* 11. § 4. *C.* 2.

24. And the Collector ſhall then ſubmit the account and vouchers, through the preſcribed channel, for the orders of Government, with a certificate whether the charges are reaſonable or otherwiſe. *R.* 11. § 4. *C.* 3.

BONDS.

319 2. At the end, *add*, ext. *Ben.* 1806 *R.* 17. § 2.

3. At the end, *add*, *Ben.* (after 1ſt January 1807) 1806 *R.* 17. § 5.

4. At the end, *add*, ext. *Ben.* 1806 *R.* 17. § 2.

320 5. For *R.* 5. § 13. *read*, *R.* 15. § 3.

6. For 1795, *read*, 1793.

8. At the end, *add*, *Ben.* (after 1ſt January 1807) 1806 *R.* 17. § 4.

9. At the end, *add*, ext. *Ben.* 1806 *R.* 17. § 2.

10. At the end, *add*, *Ben.* (before 1ſt January 1807) 1806 *R.* 17. § 3.

11. and 12. At the end, *add*, *Ben.* (at the rate ſtipulated or according to the uſage of the province) 1806 *R.* 17. § 3.

13. and 14. At the end, *add*, ext. *Ben.* 1806 *R.* 17. § 2.

321 After No. 19. *inſert*, Bail bonds in Criminal Courts are to be for a ſpecific ſum forfeitable to Government. *Beng.* 1793 *R.* 9. § 5. ext. *Ben.* 1795 *R.* 16. § 4. *C.* 1. *Ced. Prov.* 1803 *R.* 6. § 5.

25. In the margin, *add*, Re-enacted 1800 *R.* 7. § 3.

26. and 27. In the margin, *add*, Re-enacted 1800 *R.* 7. § 6.

322 42. And the 17th April 1805 in the Pergunnas ceded by the Raja of Bhurtpoor. *Ced. Prov.* 1806 *R.* 12. § 6.

Page

43. Bonds written on ſtampt paper not authenticated in the preſcribed mode ſhall be deemed to be written on unſtampt paper *Beng Ben! Ced. Prov* 1806 *R.* 13. § 10. 322

After No. 5 *inſert*, Nor the limits of the wards of a city. *Beng*, 1793 *R.* 22. § 27. *Ben.* 1795 *R.* 17 § 24. 323

BRAHMENS.

5. For *Beng. read, Ben.* 325

After No. 13. *inſert*, If the Pundit reply in the negative, and the Court ſhall think the party guilty, the Court may take a Muchulka from the party, that, if again guilty of any act deemed Dhurna by the Court, he ſhall be liable to all the penalties of conviction. *Ben.* 1795 *R.* 21. § 12. ext *Beng* 1797 *R.* 5. § 5. *Ced. Prov.* 1804 *R.* 3 § 10. *C.* 2. 326

The Magiſtrates in Bengal &c. are to publiſh a prohibition againſt the practice of Dhurna. Police officers ſhall make proclamation of it by beat of drum and certify the mode of publication, which certificates to be produced to the Court of Circuit on any trial for the offence. *Beng.* 1797 *R* 5. § 2. *Ced. Prov.* 1804 *R.* 3 § 9. *C.* 1.

16. For 1803, *read*, 1804. 327

BURNING.

6. In the margin, *add*, Reſcinded 1803 *R.* 53. § 8. *C.* 1. 330

CALCUTTA.

12. In the margin, *add*, Re-enacted 1796 *R.* 2. § 2. 332

22. In the margin, *add*, Reſcinded 1800 *R.* 11 § 26. 333

27. In the margin, for 1800, *read*, 1806.

36. The Collector of Calcutta Cuſtoms and all other public officers reſiding at the Preſidency, are liable to be ſued in the Adaulut of Zilla Twenty-four Pergunnas. 1806 *R.* 7 § 8. 334

37. Public officers at the Preſidency who may require guards or eſcorts are to apply through the preſcribed channel of correſpondence to the Governor General in Council. 1806 *R.* 11. § 19.

38. A Magiſtrate not qualified to act as Juſtice of Peace ſhall tranſmit to the Juſtices of Peace in Calcutta, with the witneſſes and a letter requeſting them to take meaſures for his commitment, any European Britiſh ſubject charged with an unbailable offence. 1806 *R.* 15. § 3.

39. And, in caſe of ſuch Britiſh ſubject being charged with a bailable offence, ſhall explain

334 explain to the complainant what courſe to take by application to the Juſtices or Grand Jury in Calcutta. 1806 *R.* 15. § 5.

CANOONGOES.

337 8. At the end, *add*, *Ced. Prov.* 1803 *R.* 27. § 2. *C.* 12.

9. At the end, *add*, *Ced. Prov.* 1803 *R.* 27. § 5.

CAST.

338 7. In the margin, *add*, Modified 1803 *R.* 49. § 18. *C.* 1.

339 11. to 13. In the margin, *add*, Modified 1803 *R.* 50. § 6.

CATTLE.

341 15. Every diviſion of bullocks tranſporting ſalt ſhall be furniſhed with a Chelan from the officer in charge of the Gola whence the ſalt is cleared out. *Beng.* 1806 *R.* 9. § 2. *C.* 2.

16. Such Chelan ſhall beſides all particulars of the ſalt contain the names of the proprietor and Sirdar, and the number of bullocks. *Beng.* 1806 *R.* 9. § 2. *C.* 3.

17. The Chelan ſhall be kept conſtantly with the bullocks under pain of confiſcation of the ſalt if not produced at a moment's warning. *Beng.* 1806 *R.* 9. § 3.

18. The perſon deputed by the Collector to facilitate the progreſs of troops on their march, and the Police officers on the application of ſuch perſon, ſhall afford their aid in providing any number of carts and bullocks indiſpenſably neceſſary. *Beng. Ben. Ced. Prov.* 1806 *R.* 11. § 3. *C.* 1.

19. Police officers ſhall alſo aſſiſt travellers in procuring carts and bullocks; but ſhall be diſmiſſed if they furniſh to any traveller bullocks or carts not kept for hire or excluſively appropriated to agriculture; the Police officer is to adjuſt the rate of hire, and may require payment of the whole or a part in advance; and if the traveller refuſe to comply with the adjuſtment, he will not be entitled to aſſiſtance: and they may return from the firſt Police ſtation of the next Zilla, unleſs it ſhould be voluntarily agreed to the contrary. *Beng. Ben. Ced. Prov.* 1806 *R.* 11. § 8.

CAZEES.

I. *MODE OF APPOINTMENT.*

342 10. For § 5, *read*, § 4.

343 28. For *R.* § 25, *read*, *R.* 6. § 25.

II. *MISCELLANEOUS DUTIES.*

345 After No. 16, *inſert*, Cazees entruſted with the payment of penſions may be ſued in Civil Courts for withholding an authorized penſion without good cauſe. *Beng.* 1793 *R.* 24 § [illegible]. *Ben.* 1795 *R.* 34. § 14.

24. The Judges of Zillas and Cities ſhall cauſe the tranſlations of the Regulations furniſhed to the Cazees to be read and publiſhed at the Cucheries of the Commiſſioners and Police officers. *Ced. Prov.* 1805 *R.* 8. § 31. *Beng. Ben.* 1806 *R.* 11. § 11. *C.* 2. 346

COLLECTORS OF CUSTOMS.

I. *GENERAL RULES.*

After No 3, *inſert*, The Regulations of Government are to be ſent to the Collectors of Cuſtoms as paſſed. *Beng.* 1793 *R.* 41. § 11. ext. *Ben.* 1795 *R.* 1. § 4. *Ced. Prov.* 1803 *R.* 1. § 11. 352

4. In the margin, *add*, Modified 1800 *R.* 11. § 26. Re-enacted 1806 *R.* 7. § 8.

II. *LOCAL RULES.*

11. For *Beng. read, Ben.* 357

40. For *Ced Prov* 1801 *R.* 11. § 19. *read, Ced. Prov.* 1804 *R.* 11. § 31. 360

COLLECTOR OF PILGRIM TAX.

13. Frauds of the pilgrims, if proved to the ſatisfaction of the Collector, ſhall be puniſhed by a fine equal to treble the duty; but the Collector ſhall have no authority to ſearch pilgrims. *Beng.* 1806 *R.* 5. § 2. 362

COLLECTORS OF REVENUE.

I. *GENERAL RULES.*

25. At the end, for *C.* 14. *read, C.* 13. 364

II. *OFFICERS UNDER THE COLLECTOR.*

36. Tehſildars in Benares and the Ceded Provinces are not to be ſuſpended except by order of Government, of the Revenue Board, or of the Collector; and are to be nominated by the Collector through the Board. *Beng. Ced. Prov.* 1804 *R.* 5. § 10. 369

37. On the death, removal &c. of a Tehſildar, in Benares or the Ceded Provinces, the Collector ſhall report through the Board, for the ſanction of Government, the perſonal allowance and eſtabliſhment neceſſary for the ſucceſſor. *Ben. Ced. Prov.* 1806 *R.* 21. § 2.

38. The perſonal allowance and revenue eſtabliſhments of ſuch Tehſildars are to be paid by the Collector *Ben. Ced. Prov.* 1806 *R.* 21. § 3

V. *SAYER.*

375 After No. 7 *insert*, Towards adjuſting the claims of compenſation for the aboliſhed Sayer, the claimants ſhall exhibit to the Collector the titles under which the Sayer has been levied, or proof of its having been eſtabliſhed previous to the Company's Government. *Beng.* 1793 *R.* 27. § 2. *C.* 10. *Ced. Prov.* 1805 *R.* 6. § 40. *C.* 1.

And the Collector ſhall, after full inquiry, tranſmit his proceedings, and all requiſite documents, to the Board, with an opinion on the claim. *Beng.* 1793 *R.* 27. § 2. *C.* 11. *Ced. Prov.* 1805 *R.* 6. § 40. *C.* 2.

376 14. In the margin *add*, Re-enacted 1806 *R.* 20. § 3.

15. For *R.* 47 *read*, *R.* 47. § 7.

18. For *Cen. read*, *Ben.*

378 41. The Collector is to communicate with the Commanding Officer of any military cantonment at which European troops are quartered, and is to be guided by his recommendation as to the diſtance at which licenſes may be granted for the ſale of ſpirituous liquors; but, if of opinion that the diſtance propoſed is objectionable, he ſhall ſubmit the caſe to the Board of Revenue. *Beng. Ben. Ced. Prov.* 1806 *R.* 20. § 3.

V. *MISCELLANEOUS DUTIES.*

4 and 5. In the margin *add*, Reſcinded 1806 *R.* 6. § 2.

379 6 to 8. In the margin *add*, Reſcinded 1806 *R.* 6. § 2.

381 After No. 33 *inſert*, And any complaints of the miſconduct of troops, on their march, which may appear well founded and of ſufficient importance. *Beng. Ben. Ced. Prov.* 1806 *R.* 11. § 7.

382 38. The annual eſtimate of the repairs of the embankments are to be prepared by the Collector with the aſſiſtance of the executive officers. *Beng. Ben. Ced. Prov.* 1806 *R.* 6. § 5. *C.* 2 and 3.

39. And the annual accounts. *Ibid* § 6.

40. The Committee of embankments may, through the Collector, call on landholders and farmers to repair the embankments. *Ibid* § 11.

VI. *PENSIONS &c.*

382 4. In the margin *add*, Modified 1806 *R.* 22. § 2. &c.

385 44. The Collectors in the Ceded Provinces and Bundelkhund, inſtead of deciding on claims to penſions not exceeding 100 Rupees, ſhall tranſmit their proceedings, with an opinion on the claim, for the deciſion of the Board of Revenue. *Ced. Prov.* 1806 *R.* 22. § 2.

Page

45. And the Collectors in Bengal and Benares on penſions not exceeding 50 Rupees. 385

Beng. Ben. 1806 *R.* 22. § 3.

46. Deciſions already paſſed by Collectors on ſuch penſions are not affected hereby; and the Collectors ſhall tranſmit to the Civil Auditor a liſt of all penſions ſo adjudged by themſelves and of all penſions authorized by Government. *Beng Ben. Ced. Prov.* 1806 *R* 22. § 4.

47. And all ſuch accounts and information as he may require in ſuch form as he may preſcribe. *Ibid* § 6.

48. The appeal from the Collector's deciſion to the Board on claims to penſions is ſuperſeded. *Ibid* § 3.

49. The Collectors ſhall aſcertain whether the perſons now in the receipt of penſions are the real parties, and ſhall diſcontinue the payment if the original parties be dead. *Ibid* § 8.

50. In caſe of a penſion being commuted for waſte land, to be held rent-free, the Collector ſhall aſcertain and report to the Board where land conveniently ſituated can be procured. *Ibid* § 10.

VII. *STAMPS.*

9. At the end, *add*, *Ced. Prov.* 1803 *R.* 43. § 15 *C.* 3. 386

37. At the end, *add*, *Ced. Prov.* 1803 *R.* 43. § 16. *C.* 2. 388

VIII. *LAND REGISTERS.*

9. For § 29, *read*, § 24. 398

12. For the Collectors are, *read*, the Collector is.

46. At the end, *add*, *R.* 36. § 37. *R.* 31. § 37. 392

After No. 47, *inſert*, A Collector on taking charge of his office ſhall report to the Board the ſtate of the regiſters. *Beng. Ben.* 1800 *R.* 8. § 15. *Ced. Prov.* 1803 *R.* 31. § 37 *R.* 36. § 37. *R.* 42. § 26. *C.* 3.

IX. *DISQUALIFIED LANDHOLDERS.*

5 and 6. In the margin, *add*, Re-enacted 1799 *R.* 7. § 26. 393

X. *LAND.*

3. At the end, *add*, *C.* 3. 395

50. Conſiderable landed property, if ordered by a Civil Court to be attached for default of ſecurity from a defendant, ſhall be attached through the Collector of the diſtrict. 400

Beng. Ben. Ced. Prov. 1806 *R.* 2. § 5. *C.* 2

XI. *SETTLEMENT OF THE REVENUE.*

402 27. At the end, *add*, *Conq. Prov.* 1805 *R.* 9. § 27.

404 54. For § 23, *read*, § 53.

XII. *COLLECTION OF THE REVENUE.*

406 8. At the end, *add*, *C.* 1.

407 27. For *R.* 26, *read*, *R.* 27.

408 30. In the margin, *add*, Modified 1805 *R.* 17. § 3.

COMMERCIAL AGENTS.

II. *RULES FOR THE AGENT.*

418 After No. 10, *insert*, The Regulations of Government are to be ſent to the Commercial Agents as paſſed. *Beng.* 1793 *R.* 41. § 11. ext. *Ben.* 1795 *R.* 1. § 4. *Ced. Prov.* 1804 *R.* 1. § 11.

III. *RULES FOR THE MANUFACTURERS.*

420 After No. 2, *insert*, Every rule or order of Government regarding the proviſion of the Company's inveſtment ſhall be enacted into a Regulation, printed and publiſhed. *Beng.* 1793 *R.* 41. § 2. ext. *Ben.* 1795 *R.* 1. § 4. *Ced. Prov.* 1803 *R.* 11 § 2.

421 9. For § 5, *read*, § 3.

422 23. For *C.* 10, *read C.* 1.

423 34. In the margin, *add*, Modified 1801 *R.* 9. § 3.

424 43. The Regulations regarding the proviſion of the inveſtment extend to Cuttack. 1805 *R.* 14. § 11.

44. The notice on defendants preſented in lieu of a ſummons ſhall be ſerved on perſons employed in the Company's inveſtment in the mode directed by the Regulations regarding ſuch perſons. *Beng. Ben Ced. Prov.* 1806 *R.* 2. § 2. *C.* 4.

COMMISSIONERS OF LAWSUITS.

427 25. In the margin, *add*, Reſcinded 1800 *R.* 7. § 12.

27. For § 6, *read*, § 3.

428 36. For *C* 10, *read*, *C.* 1.

After No. 37, *inſert*, Munſifs will be liable to diſmiſſion from office and to a fine to Government if they receive a ſuit for damages of any nature. *Beng. Ben.* 1803 *R.* 49. § 14. *C.* 7. *Ced. Prov.* 1803 *R* 16 § 29. *C* 7.

COMMITMENTS.

429 After No. 6, *inſert*, The Magiſtrate is to tranſmit to the Nizamut Adaulut monthly reports of perſons apprehended, releaſed or committed. *Beng.* 1793 *R.* 9 § 28. ext. *Ben.* 1795 *R.* 16 § 4. *C.* 1. *Ced. Prov.* 1803 *R.* 6. § 27.

And

Page

And of perſons under the Magiſtrate's charge for trial before the Court of Circuit, and of perſons whoſe trials are under reference to the Nizamut Adaulut. *Beng.* 1793 *R.* 9. § 30 ext. *Ben.* 1795 *R.* 16. § 4 *C.* 1. *Ced. Prov.* 1803 *R.* 6. § 29. 429

After No. 8, *inſert*, Similar advertiſement is to be made previous to each monthly jail delivery of a city *Beng.* 1793 *R.* 9 § 13. *Ben.* 1795 *R.* 16. § 4. *C.* 3. 430

After No. 11, *inſert*, And in ſuits before the Regulating Officer of invalid T'hanas. *Beng.* 1793 *R* 43. § 14.

After No. 13, *inſert*, And landholders or farmers of land conniving at robbery, receiving ſtolen goods, harbouring the offenders, or aiding or not preventing their eſcape. *Beng.* 1793 *R* 22 § 3. *Cuttack* 1805 *R.* 13 § 9. *Jungul Mehals* 1805 *R.* 18 § 7. *C.* 17.

30. In the margin, *add*, Modified 1805 *R.* 8. § 14 *C.* 5 1806 *R.* 11. § 10. *C.* 2. 438

After No. 32, *inſert*, Perſons vending prohibited drugs ſhall be committed for trial before the Court of Circuit. *Beng. Ben.* 1800 *R.* 6. § 8 *Ced. Prov* 1803 *R.* 40 § 19.

And liquor vendors guilty of harbouring thieves or of any other ſerious offence. *Beng. Ben.* 1800 *R.* 6. § 30. *Ced Prov* 1803 *R* 40. § 42.

39. Perſons cutting through a public embankment will be liable to be committed for trial before the Court of Circuit *Beng. Ben. Ced. Prov.* 1806 *R* 6. § 12 *C.* 6. 433

40. Or through a private embankment. *Beng. Ben. Ced. Prov.* 1806 R 6. § 13.

COMMUTATION OF PUNISHMENT.

I. *IN CIVIL MATTERS.*

After No 15, *inſert*, The penalty for illicit cultivation of poppy or contraband dealings in opium ſhall be commuted into impriſonment not exceeding ſix months, if ſufficient property of the offender be not found to make good the penalty. *Ceds Prov.* 1803 41. § 19. 434

17. Fines incurred for ſelling ſtampt paper without a Sunnud may be commuted for impriſonment not exceeding 6 months *Beng. Ben. Ced. Prov.* 1806 *R.* 13. § 8.

II. *IN CRIMINAL MATTERS.*

After No. 25 *inſert*, The commutation of Deyut into impriſonment is not applicable to the caſe of any perſon convicted of killing one perſon in the malicious intention of killing another perſon, nor of perſons convicted of committing a homicide in the deliberate intention of committing an unlawful act. *Beng. Ben.* 1801 *R.* 8. § 6. *Ced. Prov.* 1803 *R.* 8 § 10 *C.* 6. 436

COMPENSATIONS.

439 After No. 13, *insert*, Pensions granted as a compensation for Ayma land in Benares, resumed by the native Government, may be inherited and sued for as other property. *Ben.* 1795 *R.* 34. § 2.

But those granted as a compensation to the dispossessed landholders shall not descend to heirs without the sanction of Government. *Ben* 1795 *R.* 34. § 3.

Pensions granted in the Ceded Provinces by the former Government, as a compensation for resumed land held on Sunnuds conferring a right in perpetuity, are hereditable, and may be sued for as other property. *Ced. Prov.* 1803 *R.* 24. § 2.

And may be received through a Vakeel or assigned to another person *Ced. Prov.* 1803 *R.* 24 § 15.

But pensions granted as a compensation for resumed land, held on a life tenure, shall be continued only during the life of the person in the receipt thereof at the time of the cession. *Ced. Prov.* 1803 *R.* 24. § 3.

440 19** Any landholder, farmer &c. deeming himself entitled to compensation for any injury sustained from troops on their march, shall furnish an accurate account thereof to the Commanding Officer, who shall certify thereon whether the damage has been sustained, and his opinion respecting the justice of the claim *Beng. Ben. Ced. Prov.* 1806 *R.* 11. § 5. *C.* 1.

20. On any such claim to compensation being presented to the Collector with such certificate, in ten days from the date thereof, the Collector shall inquire into the claim and transmit his proceedings to the Board of Revenue for the orders of Government. No such claim shall be received after ten days, except on good reason for the delay; nor without such certificate, except on sufficient cause for not obtaining it. And, in the latter case, the Collector shall transmit the petition and statement to the Commanding Officer for his reply previous to determining on the admissibility of the claim. *Beng. Ben. Ced. Prov.* 1806 *R* 11. § 5. *C* 2.

CONFISCATIONS.

I. *WHEN INCURRED.*

1. In Abcarie &c.

441 11. Sham paper, found in the possession of any person not authorized by Sunnud to vend it, shall be forfeited to Government. *Beng. Ben. Ced. Prov.* 1806 *R.* 13. § 8.

3. In Salt.

36. Salt, transported by land or by water, is liable to confiscation if the Chelan be not instantly produced, or the Ruwana be not produced in twenty-four hours, or the Chelan do not correspond in every particular with the salt and with the Ruwana. *Beng.* 1806 *R.* 9. § 3. 444

II. *HOW ADJUDGED.*

1. In Abcaree.

6. For § 25, *read*, § 35. 447

2. In Opium.

18. If any information regarding opium appear groundless or malicious the informer shall make good to the party accused all charges incurred and equitable damages. *Ced. Prov.* 1803 *R.* 41. § 20. 450

19. All such informations shall be tried in a summary mode subject to appeal. *Ced. Prov.* 1803 *R.* 41. § 21.

CONTEMPT.

10. Pleaders of the Civil Courts, guilty of disrespect to the Court, in open Court, may be fined as far as 100 Rupees, to be deducted from their fees, or levied by process of execution. *Beng.* 1793 *R.* 7. § 16. ext. *Ben.* 1795 *R.* 13 § 2. *Ced. Prov.* 1803 *R.* 10. § 15. 469

11. Persons guilty of contempt to the Sudder Dewannee Adaulut or to the Courts of Chandernagore or Chinsura in their pleadings or petitions at the Sudder Dewannee Adaulut in causes relating to either of those settlements, may be fined according to their condition; and the fine, if not recovered, may be commuted for an imprisonment not exceeding six months. 1805 *R.* 1. § 11.

CONVICTS.

After No. 4. *insert*, The Court of Circuit may give orders to the Magistrate regarding the treatment and accommodation of the convicts. *Beng.* 1793 *R.* 9 § 62. *Ben.* 1795 *R.* 16. § 24. *C.* 2. *Ced. Prov.* 1803 *R.* 7. § 32. 461

The Magistrates are to transmit to the Nizamut Adaulut monthly reports of prisoners sentenced by the Courts of Circuit or Nizamut Adaulut, and of prisoners dead, removed or escaped, and half yearly reports of prisoners under sentence. *Beng.* 1793 *R.* 9. § 30. ext. *Ben.* 1795 *R.* 16. § 4. *C.* 1. *Ced. Prov.* 1803 *R.* 6. § 29.

The

461 The Magiſtrate of Bhaugulpoor is to include the hill priſoners in ſuch reports, and is to treat them in every reſpect like other priſoners. *Beng.* 1796 *R.* 1. § 16.

CORPORAL PUNISHMENT.

464 After No 5 *inſert*, Nor the Kotwals and Daroghas of Cities. *Beng* 1793 *R.* 22. § 34 *Ben.* 1795 *R.* 17. § 32.

After No. 7 *inſert*, Magiſtrates are to take ſpecial care that priſoners be not corporally puniſhed nor otherwiſe ill treated to compel them to anſwer truly. *Beng.* 1793 *R.* 9 § 6. ext. *Ben.* 1795 *R.* 16. § 4. *C.* 1. *Ced. Prov.* 1803 *R.* 6. § 6.

CORRUPTION.

I. *JUDICIAL DEPARTMENT.*

466 After No. 9. *inſert*, And ſimilarly any Judge of a Zilla, City or Appeal Court. *Beng* 1793 *R.* 6 § 8. ext. *Ben* 1795 *R.* 10 § 2. *Ced. Prov.* 1803 *R.* 5. § 8.

II. *REVENUE DEPARTMENT.*

468 9. For *R* 6. *read*, *R.* 8.

469 11. For *R.* 6. *read*, *R.* 8.

III. *NATIVE OFFICERS.*

470 3. For § 22. *read*, § 2.

472 23. In the margin, *add*, Reſcinded 1797 *R* 6. § 2.

473 25. In the margin, *add*, Reſcinded 1801 *R.* 11. § 2.

32. For Daroghas, *read*, Darogha.

COSTS.

475 After No. 7. *inſert*, No ſuit nor appeal ſhall be received until the plaintiff or appellant ſhall have given ſecurity for his pleader's fees; and ſuch ſecurity ſhall be taken from defendants and reſpondents alſo, in addition to all other required ſecurities. *Beng.* 1793 *R.* 7. § 9. ext. *Ben* 1795 *R.* 13. § 2. *Ced. Prov.* 1803 *R.* 10. § 8. *C.* 6.

Unleſs the party be admitted as a pauper on the oath of himſelf and of two witneſſes to his poverty and on giving two ſureties for his appearance. *Beng.* 1793 *R.* 46. § 2. ext. *Ben.* 1795 *R.* 23 § 2. *Ced. Prov.* 1803 *R* 14. § 2.

476 18. At the end, *omit*, *C.* 2. and *add*, *R.* 10. § 2.

478 After No. 38 *inſert*, Security is not to be required from the guardian of a diſqualified landholder when ſued jointly with the ward. *Beng.* 1795 *R.* 55. § 2. *Ced. Prov.* 1805 *R.* 8 § 29. *C.* 7.

Nor

Page

Nor from the Raja of Benares, nor his relations the Baboos, nor the Nowputee merchants, as defendants, unleſs they fail to give anſwer on requiſition. *Ben.* 1795 *R.* 8. § 10. 478

Nor for pleader's fees whether plaintiff's or defendant's. *Ben.* 1795 *R* 13. § 2.

But in appeals they muſt give the ſame ſecurities as other ſuitors. *Ben.* 1795 *R.* 8. § 10.

45. *Add,* Nor ſhall any pleader be permitted to act in any ſuit or appeal, except for paupers, until ſecurity ſhall have been given for his fees; and parties, who may have originally declared their intention of not employing a pleader, muſt give further ſecurity for the fees, if they ſubſequently wiſh to employ one.

After No. 56, *inſert,* No ſecurity for coſts or pleader's fees is to be required in appeals from the rejection or diſmiſſion of an appeal. *Beng. Ben.* 1803 *R.* 49. § 26. *C.* 5. *Ced. Prov.* 1805 *R.* 8 § 9. *C.* 6. 480

Nor in appeals from the rejection or diſmiſſion of an original ſuit. *Beng. Ben. Ced. Prov.* 1805 *R.* 2 § 11.

COURTS.

I. *SUPREME COURT OF JUDICATURE.*

1. In the margin for Modified, *read,* Re-enacted. 480

19. The Governor General in Council will order a proſecution in the Supreme Court, if neceſſary, upon the reſult of a ſpecial inquiry into a charge of corruption. *Beng. Ben. Ced. Prov.* 1806 *R.* 8. § 17. 482

II. *SUDDER DEWANNEE ADAULUT.*

1. CONSTITUTION.

After No 13, *inſert,* The Regiſter of the Court is to perform all ſuch duties as ſhall be preſcribed by the Court; who may aſſign to all miniſterial officers their reſpective duties. *Beng.* 1793 *R.* 13. § 5. ext. *Ben.* 1795 *R.* 12. § 2. *Ced. Prov.* 1803 *R.* 12 § 5. 482

The Regiſter is to execute all the orders of the Court after the riſing of the Court; and ſhall, with the aid of the Aſſiſtants and native officers, perform the above duties and thoſe of arranging the records, tranſcribing and tranſlating papers, conformably to ſuch rules as may be preſcribed by the Court: the native officers are not to interfere publicly or privately in any cauſe before the Court. *Beng* 1793 *R.* 13. § 8. ext. *Ben.* 1795 *R.* 12. § 2. *Ced. Prov.* 1803 *R.* 12. § 11.

481 Nor is the Regiſter to exercise any judicial authority or other powers, except ſuch as may be authorized by a Regulation. *Beng.* 1793 *R.* 13. § 7. ext. *Ben.* 1795 *R.* 12. § 2. *Cod. Prov.* 1803 *R.* 12. § 16.

The Record-keepers are to obey the directions of the Court, or of the Regiſter, for the better cuſtody of the records. *Beng.* 1793 *R.* 18. § 8. ext. *Ben.* 1795 *R.* 18. § 2. *Cod. Prov.* 1803 *R.* 13. § 8.

2. Jurisdiction.

486 3. For Lakheraj land exceeding 1000 Rupees, *read*, Lakheraj land exceeding 100 Rupees.

10. and 12. At the end, *add*, *C.* 1.

3. Special Authorities.

491 12. After caſes of lunacy, *inſert*, In landholders.

492 33 For § 2, *read*, § 3.

After No 33, *inſert*, when a Zilla, City or Provincial Court deem the rehearing of an unappealable cauſe to be neceſſary, they ſhall ſubmit the party's petition, and the grounds of their opinion, to the Sudder Dewannee Adaulut. *Beng. Ben.* 1798 *R.* 2. § 2. *Cod. Prov.* 1803 (for Zilla Courts) *R.* 2. § 22. (for Provincial Courts) *R.* 4. § 30. *C.* 2.

493 37. At the end, *add*, *R.* 31. § 37.

4. Controlling Superintendence.

496 25. In the margin, *add*, Modified 1801 *R.* 2. § 15.

497 39. The expenſe of the inquiry into any charge of corruption, deemed groundleſs, ſhall be recovered under the orders of Government, by the Sudder Dewannee Adaulut, from the informer. 1806 *R.* 8. § 18.

40. All proceedings of the inferior Courts, relative to the inſolvency of debtors or their ſureties confined in execution, ſhall be open to the reviſion of the Sudder Dewannee Adaulut. *Beng. Ben. Cod. Prov.* 1806 *R.* 2. § 11.

5. Public Officers.

501 39. Before 1803, *inſert*, *Ben.*

41. For § 19, *read*, § 29.

6. Admission of Appeals.

504 13. At the end, *add*, *C.* 1.

18. For *R.* 3. § 8. *read*, *R.* 38 § 10. *C.* 1,

Page

After No. 20, *insert*, Security is not to be demanded from Collectors of Customs in appeals. *Beng.* 1795 *R.* 39. § 28. ext. *Ben.* 1801 *R.* 10. § 29. *Ced. Prov.* 1804 *R.* 11. § 47. 504

After No. 22, *insert*, The presentation of a petition of appeal within the limited time, unless the fee be also paid within the same time, shall not preserve the right to appeal. *Beng. Ben.* 1797 *R.* 6. § 6. *C.* 2. *Ced. Prov.* 1803 *R.* 43. § 6. *C.* 2.

Petitions of appeal shall not be received unless written on stampt paper paying a duty of two Rupees. *Beng. Ben.* 1797 *R.* 6. § 17. *C.* 5. *Ced. Prov.* 1803 *R.* 43. § 13. *C.* 5.

But the paper may be supplied gratis to paupers. *Beng. Ben.* 1797 *R.* 6. § 19. *Ced. Prov.* 1803 *R.* 43. § 16. *C.* 1.

The standard for determining the admissibility of an appeal, whatever be the amount of the suit, shall be the sum decreed against the defendant or disallowed out of the plaintiff's claim. *Beng. Ben.* 1797 *R* 12. § 2. *Ced. Prov.* 1803 *R.* 5. § 10. *C.* 3.

After No. 28, *insert*, No security is to be required in an appeal from an Opium Agent. *Beng. Ben.* 1799 *R.* 6. § 33. 505

7. Process after Admission.

38. The rules for attachments by Zilla or City Courts in default of security are applicable to the Sudder Dewannee Adaulut. *Beng. Ben. Ced. Prov.* 1806 *R.* 2. § 7. 510

8. Trial and Judgment.

After No. 22, *insert*, The Board of Trade may undertake the prosecution or defence of any appeal at the Sudder Dewannee Adaulut, in which the officers of the customs are engaged. *Beng. Ben.* 1795 *R.* 39. § 31. *Ced. Prov.* 1804 *R.* 11. § 50. 513

After No. 28, *insert*, The Board of Trade may undertake the prosecution or defence of any appeal at the Sudder Dewannee Adaulut, in which an Opium Agent is engaged. *Beng. Ben.* 1799 *R.* 6. § 36.

37. The Sudder Dewannee Adaulut may release insolvent debtors, or their sureties, confined under execution, on their delivering up all their property on oath. *Beng. Ben. Ced. Prov.* 1806 *R.* 2. § 11. 514

III. *Nizamut Adaulut.*

1. Constitution &c.

After No. 14, *insert*, The Register of the Court is to perform all such duties as shall be prescribed by the Court; who may assign to all ministerial officers their respective duties. *Beng.* 1793 *R.* 13. § 5. ext. *Ben.* 1795 *R.* 12. § 2. *Ced. Prov.* 1803 *R.* 12. § 5. 515

The

515 The Regiſter is to execute all the orders of the Court after the riſing of the Court; and ſhall, with the aid of the aſſiſtants and native officers, perform the above duties, and thoſe of arranging the records, tranſcribing and tranſlating papers, conformably to ſuch rules as the Court may preſcribe: the native officers are not to interfere publicly or privately in any cauſe before the Court. *Beng.* 1793 *R.* 13. § 8. ext. 1795 *R.* 12. § 2 *Ced. Prov.* 1803 *R.* 12. § 11.

Nor is the Regiſter to exerciſe any judicial authority or other powers, except ſuch as may be authorized by a Regulation. *Beng.* 1793 *R.* 13. § 7. ext. *Ben.* 1795 *R.* 12. § 2 *Ced. Prov. R.* 12. § 16.

The Record-keepers are to obey the orders of the Court, or of the Regiſter, for the better cuſtody of the records. *Beng* 1793 *R.* 18. § 8. ext. *Ben.* 1795 *R.* 18. § 2. *Ced. Prov.* 1803 *R.* 13. § 8.

2. Special Authority.

518 4. For § 30. *C.* 1. *read*, § 4. *C.* 1. and for § 4. *read*, § 30.

5. For § 44. *C.* 1. *read*, § 4. *C.* 1.

520 26. For *C.* 2. *read*, *C.* 4.

521 37. Magiſtrates are to report to the Nizamut Adaulut, for the information of the Governor General in Council, any complaints of miſconduct in troops on their march, which may appear well founded and of ſufficient importance *Beng. Ben. Ced. Prov.* 1806 *R.* 11 § 7.

38 On the death of a Tehſildar in Benares &c. the Magiſtrate is to report, through the Nizamut Adaulut, for the orders of the Governor General in Council the perſonal allowance and eſtabliſhment which he would recommend for the purpoſes of Police. *Ben. Ced. Prov.* 1806 *R.* 21. § 2.

4. What Trials shall be Referred.

527 After No. 35, *inſert*, The trial ſhall be ſubmitted to the Nizamut Adaulut, whatever be the Futwa, in all convictions of accidental homicide committed with a murderous intention, or in the proſecution of a crime, which, if committed, would have incurred a ſentence of death. *Beng. Ben.* 1801 *R.* 8. § 3. *Ced. Prov.* 1803 *R.* 8. § 10. *C.* 3.

528 48. For the proceedings *read*, the reference of the Magiſtrate's proceedings.

5. What Sentence shall be Passed.

† In General Matters.

529 2. *Add*, And the Regiſter ſhall ſubmit the proceedings to the Court at the next meeting.

3.

Page

3. *Add*, After conſidering the proceedings and the ſeveral Futwas. 529

28. For *R.* 8. § 3. *read*, *R.* 53 § 8. *C.* 3. 532

43. Perſons, convicted of forging the ſtamps, may be baniſhed, in the diſcretion of the Nizamut Adaulut. *Beng. Ben. Ced. Prov.* 1806 *R.* 13. § 12. 533

†† In Homicide.

10. *Add*, And the Nizamut Adaulut ſhall either require further evidence, if neceſſary, or paſs ſuch ſentence as may be conſonant to juſtice, and conformable to the Muhamedan law, with its authorized modifications. 534

25. For *C.* 5 *read*, *C.* 4. 536

34. For § 3, *read*, § 4. 538

IV. *Provincial Courts of Appeal.*

1. Constitution.

After No. 26. *inſert*, The Regiſter of the Court is to perform all ſuch duties as may be preſcribed to him by the Court; who may aſſign to all the miniſterial officers their reſpective duties. *Beng.* 1793 *R.* 13. § 5. ext. *Ben.* 1795 *R.* 12. § 2. *Ced. Prov.* 1803 *R.* 12. § 5. 539

The Regiſter is to execute all the orders of the Court after its riſing; and ſhall perform, with the aid of the Aſſiſtants and of the native officers, the above duties, and thoſe of arranging the records, tranſlating and tranſcribing papers, according to ſuch rules as may be preſcribed by the Court. The native officers are not to interfere publicly or privately in any cauſe before the Court. *Beng.* 1793 *R.* 13. § 8. ext. *Ben.* 1795 *R.* 12 § 2. *Ced. Prov.* 1803 *R.* 12. § 11.

And the Regiſter is not to exerciſe any judicial or other power, except ſuch as may be authorized by a Regulation. *Beng.* 1793 *R.* 13. § 7. ext. *Ben.* 1795 *R.* 12. § 2. *Ced. Prov.* 1803 *R.* 12. § 16.

The Record-keepers are to obey all the orders of the Court, or of the Regiſter, for the better cuſtody of the records. *Beng.* 1793 *R.* 18. § 8. ext. *Ben.* 1795 *R.* 18. § 2. *Ced. Prov.* 1803 *R.* 13. § 8.

2. Duties Regarding Appeals.

9. At the end *add*, *C.* 1. 546

40. *Add*, And ſhall be guided by the inſtructions of the Sudder Dewannee Adaulut; but if the Provincial Court reject ſuch petition, their rejection is final. 549

41. For § 2, *read*, § 3. and for *R.* 4. § 30 *C.* 2. *read*, *R.* 5. § 37.

After No. 50. *inſert*, Appeal lies to the Sudder Dewannee Audaulut from the Provincial Courts in any caſe of the rejection of an appeal or its diſmiſſion for default whatever 550

550 ever be the amount. *Beng. Ben.* 1801 *R.* 2. § 8. *Cod. Prov.* 1803 *R.* 5. § 10. *C.* 13.

51. In the margin for *C.* 4. § 5. *read*, *C.* 4. to 8.

552 After No. 64, *insert*, The Sudder Dewannee Adaulut may admit a ſpecial appeal from the deciſion of a Provincial Court in a caſe not open to appeal, if the deciſion appear erroneous or the cauſe be of ſufficient importance. *Beng. Ben. Cod. Prov.* 1805 *R.* 2. § 10. *C.* 1.

But this ſhall not preclude the Provincial Court from reviſing its own judgment if the petition for ſuch reviſion be preſented before a ſpecial appeal have been admitted. *Beng. Ben. Cod. Prov.* 1805 *R.* 2. § 10. *C.* 2.

3. General Authority.

556 39. For § 4. *C.* 1. *read*, § 14.

558 61. All proceedings of Zilla or City Courts, regarding the inſolvency of confined debtors or their ſureties ſhall be open to the reviſion of the Provincial Courts. *Beng. Ben. Cod. Prov.* 1806 *R.* 2. § 11.

4. Admission of Appeals.

560 After No. 27, *insert*, The ſtandard for determining the admiſſibility of an appeal, whatever be the amount of the ſuit, ſhall be the ſum decreed againſt the defendant or diſallowed from the plaintiff's claim. *Beng. Ben.* 1797 *R.* 12. § 2. *Cod. Prov.* 1803 *R.* 4. § 12. *C.* 2.

6. Trial and Judgment.

567 After No. 27, *insert*, The Provincial Courts may conſult the law officers of the other Courts on points of law, and may receive law opinions from the parties, and conſult the law officers thereon; but ſhall not refer ſuch points to perſons not in public capacities. *Beng. Ben* 1798 *R.* 2. § 4.

After No. 31, *insert*, The Courts of Appeal are to be cautious in not admitting depoſitions without oath of perſons who are not really of ſuch a caſt or rank as to entitle them to the exemption *Beng. Ben.* 1803 *R.* 50. § 6. *Cod Prov.* 1803 *R.* 8. § 25. *C.* 7.

33. The Provincial Court may releaſe inſolvent debtors or their ſureties with or without ſecurity for their appearance, on their delivering up all their property on oath. *Beng. Ben. Cod. Prov.* 1806 *R* 2 § 11.

V. *COURTS OF CIRCUIT.*

1. Constitution &c.

568 After No. 13, *insert*, The Regiſter of the Court is to perform all ſuch duties as ſhall be preſcribed to him by the Court; who may aſſign all the miniſterial officers their reſpective duties. *Beng.* 1793 *R.* 13. § 5. ext. *Ben.* 1795 *R.* 12. § 2. *Cod. Prov.* 1803 *R.* 12. § 5.

The

The Regiſter is to execute all the orders of the Court after its riſing; and with the aid of the Aſſiſtants and native officers is to perform the above duties, and thoſe of arranging the records, tranſlating and tranſcribing papers, conformably to ſuch rules as the Court may preſcribe: the native officers are not to interfere publicly or privately in any matter before the Court. *Beng.* 1793 *R.* 13. § 8. ext. *Ben.*. 1795 *R.* 12. § 2. *Ced. Prov.* 1803 *R.* 12. § 11. 568

And the Regiſter is not to exerciſe any judicial or other power except ſuch as may be authorized by a Regulation. *Beng.* 1793 *R.* 13. § 7. ext. *Ben.* 1795 *R.* 12. § 2. *Ced. Prov* 1803 *R.* 12. § 16.

47. For § 1. *read*, § 16. 571

2. General Authorities.

24. *Add*, 1805 *R.* 18. § 7. *C.* 17. 575

26. *Add*, *R.* 32. § 5.

48. For 180 *R.* 3. 4. *read*, 1801 R. 3. 577

After No. 48, *inſert*, The Judge of the Bareilee Court of Circuit who holds the half yearly jail delivery of Furrukhabad, ſhall viſit the mint, inquire into the mode of conducting the buſineſs, and report the reſult of his inquiries to Government; and the officers of the mint are required to furniſh every information which he may call for. *Ced. Prov.* 1803 *R.* 45. § 11.

50. Perſons cutting through a public embankment ſhall be liable to be committed for trial before the Court of Circuit. *Beng. Ben. Ced. Prov.* 1806 *R.* 6. § 12. *C.* 6.

51. Or through a private embankment. *Beng. Ben. Ced. Prov.* 1806 *R.* 6. § 13.

3. Jail Deliveries.

10. For *R.* 7. § 24. *read*, *R.* 51. § 2. *C.* 7. 578

20. *Add*, *Ben.* 1795 *R.* 16. § 16. 579

21. Before 1794, *inſert*, *Beng.*

32. At the end, *omit*, *C.* 2. 580

34. In the margin, *add*, Re-enacted 1797 *R.* 3. § 2.

46. Before 1798, *inſert*, *Beng.* 581

55. In the margin, *add*, Re-enacted 1806 *R.* 1. § 4.

61. For *R.* 7. *read*, *R.* 2. 582

4. Trial and Sentence.

28. For *R.* 53. *R.* 2. § 2. *read*, *R.* 53. § 2. *C.* 2. 587

38. For § 4. § 6. *read*, § 4. *C.* 6. 588

For

591 60. For § 1. *read*, § 3.

63. Perſons convicted of forging the ſtamps, or uſing forged ſtamps, or having or ſelling forged ſtampt paper, ſhall be ſentenced to corporal puniſhment not exceeding 39 Tazyanas, impriſonment not exceeding 7 years, and baniſhment in the diſcretion of the Nizamut Adaulut. *Beng. Ben. Ced. Prov.* 1806 *R.* 13 § 12.

VI. *COURT OF A ZILLA OR CITY JUDGE.*

1. CONSTITUTION &c.

598 After No. 10, *inſert*, the Regiſter is to perform ſuch duties as ſhall be preſcribed to him by the Court; who may aſſign to all the miniſterial officers their reſpective duties. *Beng.* 1793 *R.* 13 § 5. ext. *Ben.* 1795 *R.* 12. § 2. *Ced. Prov.* 1803 *R.* 12. § 5.

The Regiſter is to execute the orders of the Court at its riſing; and, with the aid of the aſſiſtants and native officers, is to perform the above duties, and thoſe of arranging the records, of tranſlating or tranſcribing papers, conformably to ſuch rules as the Court may preſcribe: the native officers are not to interfere publicly or privately in any matter before the Court. *Beng.* 1793 *R.* 13. § 8. ext. *Ben.* 1795 *R.* 12. § 2. *Ced. Prov.* 1803 R. 12 § 11.

And the Regiſter is not to exerciſe any judicial, or other power, except ſuch as may be authorized by a Regulation. *Beng* 1793 *R.* 13. § 7. ext. *Ben.* 1795 *R.* 12. § 2. *Ced. Prov.* 1803 *R.* 12. § 16.

The Record-keepers are to obey all the directions of the Court; or of the Regiſter, for the better cuſtody of the records. *Beng.* 1793 *R.* 18. § 8. ext. *Ben.* 1795 *R.* 18. § 2. *Ced Prov.* 1803 *R.* 13 § 8.

602 After No. 56, *inſert*, It ſhall be competent to the Governor General in Council to conſtitute the Jungul Mehals into a Zilla of civil juriſdiction. *Beng* 1805 *R.* 18. § 10.

603 62. *Inſert*, And ſimilar charges againſt a Regiſter or Aſſiſtant of a Zilla or city, preſented to the Zilla, City or Appeal Court or the Sudder Dewannee Adaulut.

63. After Judge, *inſert*, &c.

2. JURISDICTION.

605 After No. 25, *inſert*, Nor claims to penſions. *Beng.* 1793 *R.* 24 § 17. *Ben.* 1795 *R.* 34. § 14. *Ced. Prov.* 1803 *R.* 24. § 16.

606 After No. 32, *inſert*, Perſons reſiſting the proceſs of the Benares City Court, ſhall be liable to the ſame penalties as perſons reſiſting the proceſs of a Zilla Court. *Ben.* 1795 *R.* 8. § 8.

Page

33. Before 1793, *insert*, *Beng.* and *add*, *Ben.* 1801 R. 10. § 29. *Ced. Prov.* 1804 R. 11. § 41. 1805 R. 6. § 37. 606

47. At the end *add*, *Ced. Prov.* 1803 R. 41. § 22. 607

49. In the margin *add*, Modified 1806 R. 7. § 8.

3. Appeals.

5. For *Ben. read*, ext. *Ben.* and for *R.* 34. *read*, R. 54. 609

23. For *C.* 12. *read*, *C* 13. 610

4. Miscellaneous Duties.

12. For *Beng.* 1795. *read*, *Beng.* 1793. 613

29. For may be required, *read*, may be ſimilarly required. 614

30. For take, *read*, take and tranſmit. 615

39. Before 1803, *inſert*, *Ced. Prov.*

48. The proceſſes of a ſpecial commiſſion are to be ſerved through the Court within whoſe juriſdiction the commiſſion is held or the party required reſides. *Beng. Ben. Ced. Prov.* 1806 R. 8. § 13. 616

5. Revenue Matters.

27. In the margin, *add*, Reſcinded 1804 R. 1. § 2. 618

30. At the end, *add*, *C* 1. 619

After No. 31, *inſert*, The Court may adjudge the Collector to refund from the treaſury the whole or a part of any ſum, received as an arrear of revenue, which the Court may find not to have been due. *Beng.* 1793 R. 14 § 14.

If a landholder reſiſt the Collector's proceſs, the Court, on a motion from the Collector, and on oath being made to the reſiſtance, ſhall iſſue a publication requiring the party to ſurrender himſelf into the cuſtody of the Court within four weeks. *Beng.* 1793 R. 14. § 15. *Ben* 1795 R. 6. § 22. *Ced. Prov.* 1803 R. 27. § 22.

Or a farmer of land. *Beng.* 1793 R. 14. § 19. *Ben.* 1795 R. 6. § 26. *Ced. Prov.* 1803 R. 27. § 26.

Or a ſurety. *Beng.* 1793 R. 14. § 21. *Ben.* 1795 R. 6. § 28. *Ced. Prov.* 1803 R. 27. § 28.

The Court ſhall furniſh the Collector, as ſoon as practicable, with a copy of all proceedings on charge of reſiſtance to the Collector's proceſs by a landholder, if the deciſion acquit the party proſecuted. *Beng.* 1793 R. 14 § 16. *Ben.* 1795 R. 6. § 23. *Ced. Prov.* 1803 R. 27. § 23.

Or a farmer of land. *Beng.* 1793 R. 14. § 19. *Ben.* 1795 R. 6. § 26. *Ced. Prov.* 1803 R. 27. § 26.

619 Or a ſurety. *Beng.* 1793 *R.* 14. § 21. *Ben.* 1795 *R.* 6. § 28. *Ced. Prov.* 1803 *R.* 27. § 28.

And in any ſuit regarding an arrear of revenue, if the deciſion adjudge the whole or a part not to be due. *Beng.* 1793 *R.* 14. § 30. *Ben.* 1795 *R.* 6. § 36. *Ced. Prov.* 1803 *R.* 27. § 33.

Or in any ſuit defended under the orders of Government, or of the Board of Revenue, if Government be caſt. *Beng.* 1793 *R.* 14. § 46. *Ben.* 1795 *R.* 6. § 51. *Ced. Prov.* 1803 *R.* 27. § 48.

If a revenue defaulter reſide in a city, the Judge of the city ſhall ſend a Peon to point out his reſidence to the Collector's Peon; and ſhall, after his arreſt, retain him in cuſtody under the rules preſcribed to Zilla Judges. *Beng.* 1793 *R.* 14. § 45.

The advertiſement for a ſale of land for the recovery of revenue arrears is to be affixed in the Cutchery of the Dewannee Adaulut one month previous to the ſale. *Beng.* 1793 *R.* 14. § 26. *Ben.* 1795 *R.* 6. § 32. *Ced. Prov.* 1803 *R* 26. § 5.

And for a ſale in execution. *Beng.* 1793 *R.* 45. § 12. *Ben.* 1795 *R.* 20. § 12. *Ced. Prov.* 1803 *R.* 26. § 5.

32. Before *Ced. Prov. inſert*, *Ben.* 1795 *R.* 47. § 101

After No. 36. *inſert*, The Court may releaſe ſuch officer, and his ſurety, on their entering into good ſecurity to inſtitute a ſuit, in 15 days, for diſputing the demand, and may direct the releaſe of any property attached, if not yet ſold. *Beng.* 1794 *R.* 3. § 19 ext. *Ben.* 1800 *R.* 5. § 27. *Ced. Priv.* 1803 *R.* 33. § 6.

The Court may direct the repayment, with intereſt from the public treaſury, of any ſum which a landholder &c. may prove to have been unjuſtly received from him as an arrear of revenue. *Beng.* 1794 *R.* 3. § 12. *Ben.* 1800 *R.* 5. § 23. *Ced. Prov.* 1803 *R.* 27. § 16. *C.* 2.

After No. 38, *inſert*, On a complaint againſt the Collector or a Tehſildar for infraction of the rules of proceeding againſt revenue defaulters, the Court may order the reſeal of the Duſtuk, on ſecurity being given by the defaulter for the demand and the growing revenue. *Ben.* 1795 *R.* 6. § 16. *Ced. Prov.* 1803 *R.* 27. § 16. *C.* 1.

620 44. For 1803 *R.* 43. § 14. *C.* 3. *read*, 1806 *R.* 13. § 7.

46. The penalties on ſuch agents, and on all officers entruſted with the ſale of ſtampt paper, are recoverable in the Civil Courts. *Beng. Ben. Ced. Prov.* 1806 *R.* 13. § 9.

47. And on perſons vending ſtampt paper without authority. *Beng. Ben. Ced. Prov.* 1806 *R.* 13. § 8.

6. Matters of Commerce.

18. Informations regarding the illicit cultivation of the poppy, or contraband dealings in opium, are to be tried ſummarily in the Civil Courts. *Ced. Prov.* 1803 *R.* 41 § 21. 622

19 And if the penalty ſhould not be recovered from the property of the party, the Court ſhall commute it into an impriſonment of not more than ſix months. *Ced. Prov.* 1803 *R.* 41. § 19.

7. Limitation of Actions.

5 and 6. In the margin, *add,* Reſcinded 1797 *R.* 6. § 2.

After No. 24, *inſert,* Summary ſuits, for the recovery of rent, ſhall not be entertained for any arrear due more than one year, but this ſhall not preclude the admiſſion of arrears due more than a year in the adjuſtment of recent arrears. *Beng. Ben. Ced. Prov.* 1805 *R.* 2. § 4. *C.* 1. 624

And the ſame limitation is applicable to ſummary ſuits by landholders for the recovery of money or accounts in the hands of their agents. 1805 *R.* 2. § 4. *C.* 2.

Summary ſuits for diſpoſſeſſion ſhall not be heard if preferred after three months unleſs the complainant ſhow that he was prevented from preferring it earlier. 1805 *R.* 2. § 5.

8. Admission of Suits.

5. For § 58, *read,* § 51; *and for* § 41, *read,* § 48. 625

After No. 24, *inſert,* Perſons aggrieved under a Regulation by a Collector of cuſtoms, muſt proceed according to Section 11, Regulation 3 of 1793. *Beng. Ben.* 1795 *R.* 29. § 22. *Ced. Prov.* 1804 *R.* 11. § 41. 627

After No. 28, *inſert,* The plaint, againſt an officer of a ſalt Chokee, muſt ſtate his being ſo employed. *Beng.* 1798 *R.* 4. § 3.

Perſons diſputing the grounds of forfeiture of a puchaſe made at public ſale, in conſequence of its being deemed to have been made by or for the defaulter himſelf, muſt proceed according to Section 11, Regulation 3 of 1793. *Beng.* 1799 *R.* 7. § 29, *C.* 4. ext. *Ben.* 1800 *R* 5. § 26. *Ced. Prov.* 1803 *R.* 26. § 10.

Suits againſt an opium Agent, or his officers, are not to be received without proof of previous application to the agent. *Beng. Ben.* 1799 *R.* 6. § 27.

Perſons aggrieved under a Regulation, in matters relating to opium, muſt proceed according to Section 11, Regulation 3 of 1793. *Beng. Ben.* 1799 *R.* 6. § 39. *Ced. Prov.* 1803 *R.* 41. § 22.

Or in matters of ſalt. *Beng. Ben.* 1801 *R.* 6. § 33. *Ced. Prov.* 1803 *R.* 39. § 20.

Or in matters relating to the Calcutta town duties. *Beng.* 1801 *R.* 5. § 15.

Or

627 Or the Government duties. *Beng. Ben.* 1801 *R.* 11. § 25. *Ced. Prov.* 1804 *R.* 11 § 41.

Or the city duties. *Beng. Ben.* 1801 *R.* 10. § 29. *Ced. Prov.* 1805 *R.* 6. § 37.

31. A complaint, againſt any European officer in the Revenue or Commercial Departments, ſhall be received as a public or private ſuit according as Government may direct. *Beng. Ben. Ced. Prov.* 1806 *R.* 8. § 3.

9. Reference of Suits.

628 5. At the end, *add*, *Ced. Prov.* 1803 *R.* 12. § 6.

7. At the end, *add*, ext. *Ben.* 1795 *R.* 54. § 2. *C.* 1.

10. At the end, *add*, *Ced. Prov.* 1803 *R.* 28. § 32. *C.* 4.

14. Suits againſt the dependants of the Nuwab of Furrukhabad, ſhall be referred, in the firſt inſtance, to the Nuwab; but may be tried by the Court if the complainant ſhould not receive early juſtice, or ſhould be diſſatisfied with the Nuwab's deciſion. *Ced. Prov.* 1803 *R.* 2 § 8.

15. Summary ſuits for rent or diſpoſſeſſion may be referred to the Regiſter if of a referrible amount. *Beng. Ben. Ced Prov.* 1805 *R.* 2. § 13.

16. A Regiſter, though not appointed to act as Judge, may receive ſuits and refer to himſelf and to the commiſſioner ſuch as are referrible. *Beng. Ben. Ced. Prov.* 1805 *R.* 2. § 14. *C.* 2.

10. Trial.

632 36. At the end, *add*, ext. *Ben.* 1800 *R.* 5. § 13.

633 50. For *R.* 22. § 2. *read*, *R.* 2. § 22.

634 After No. 65. *inſert*, The fine on a recuſing witneſs is not to be impoſed unleſs he perſiſt in his refuſal, on being brought a ſecond time before the Court, at an interval of not leſs than a day. *Beng. Ben.* 1803 *R.* 50. § 2. *C.* 2. *Ced. Prov.* 1803 *R.* 8 § 25. *C.* 2.

The trial need not be poſtponed, for the evidence of ſuch recuſing witneſſes, longer than the Court may deem neceſſary. *Beng. Ben.* 1803 *R.* 50. § 2. *C.* 3. *Ced. Prov.* 1803 *R.* 8. § 25. *C.* 3.

A Regiſter, though not authorized to act as Judge, may receive the pleadings and documents, and examine the witneſſes, if indiſpenſable, in ſuits cognizable by the Judge. *Beng. Ben. Ced. Prov.* 1805 *R.* 2. § 14. *C.* 2.

67. A ſuit againſt a revenue or commercial European officer ſhall be tried under the rules for private or public ſuits reſpectively, according as Government may have directed. *Beng. Ben. Ced. Prov.* 1806 *R.* 8. § 3.

11. Mesne Process.

634 In the title, for 9, *read*, 11.

635 4. For *R.* 5. *read*, *R.* 3.

12. Judgment and Execution.

In the title, for 11, *read*, 12. 638

VII. *COURT OF AN ASSISTANT JUDGE.*

18. Whenever a charge of corruption is preferred to the Provincial Court of Appeal, or the Sudder Dewannee Adaulut, against an Affiſtant Judge, it ſhall be tranſmitted, with a tranſlation, to the Governor General in Council. *Beng. Ben Ced. Prov.* 1806 *R.* 10. § 4. 645

19. If the Governor General in Council ſhould deem a formal inquiry into ſuch a charge neceſſary, he will refer it to the conſtituted Courts, or to a ſpecial commiſſion appointed for the purpoſe. *Beng. Ben. Ced. Prov.* 1806 *R.* 10. § 5.

20. On the charge being thus referred, the accuſed ſhall be ſuſpended from office and ſalary; but, in caſe of his acquittal, the ſalary will be paid to him from the date of his ſuſpenſion. *Beng Ben Ced. Prov* 1806 *R.* 10 § 8.

VIII. *COURT OF THE REGISTER.*

2. Rules of Practice.

17. For *R.* § *read*, *R.* 8. 648

3. Appeals.

9. At the end, *add*, ext. *Ben.* 1795 *R.* 60. § 2. 649

X. *COURT OF THE NATIVE COMMISSIONERS.*

1. Appointment.

21. In the margin, *add*, Re-enacted 1803 *R.* 49. § 12. 655

28. For § 6. *read*, § 3. 656

After No. 49. *inſert*, And the rules of Section 12, Regulation 5 of 1804, are applicable to any eſtabliſhments which may be allowed to the commiſſioners, *Beng. Ben. Ced. Prov.* 1804 *R.* 5. § 13. 657

2. Jurisdiction.

19. For referred, *read*, preferred. 659

22. For *Beng. read*, *Ben.* 660

24. The Judges ſhall cauſe the tranſlations of the Regulations, which are ſent to the Cazees, to be read and publiſhed in the Cutcheries of the Munſifs. *Ced. Prov.* 1805 *R.* 8. § 31. *Beng. Ben.* 1806 *R.* 11. § 12. *Ce* 2.

3. Rules of Practice.

7. *Add*, in the margin, Modified 1806 *R.* 2. § 9.

664 37, 39 and 42. For § 8. *read*, § 9.

37 and 40 *Add*, in the margin, Modified 1806 *R.* 2 § 9.

43 At the end, *add*, 1805 *R* 8. § 17 *C.* 2.

665 51. Commiſſioners are to iſſue merely a notice to the defendant, and ſhall not require ſecurity, except on proof that he is about to abſcond; and Judges and Regiſters, when they iſſue proceſs in a ſuit referred to a commiſſioner, ſhall iſſue the proceſs preſcribed by this Regulation. *Beng. Ben. Ced. Prov* 1806 *R.* 2 § 9.

4. Appeals.

4. For § 3 *read*, § 13.

666 6. For § 2. *read*, § 4. and *omit*, ext.

5. Fees.

670 21. At the end, *add*, *Ced Prov* 1803 *R.* 43. § 6. *C.* 1.

XI. *COURT OF A MAGISTRATE.*

1. Jurisdiction.

674 45. The ſeparate criminal juriſdiction of the northern diviſion of Suharunpoor, ſhall continue as at preſent, and the Magiſtrate ſhall exerciſe the ſame authority over the ſame Mehals as heretofore. But the Governor General in Council may at any time aboliſh this ſeparate juriſdiction, and incorporate it with the ſouthern diviſion. *Ced. Prov*, 1806 *R.* 14 § 4.

2. General Rules.

4. For *C.* 1. *read*, *C* 7. and in the margin, *add*, Re-enacted 1806 *R.* 10. § 4.

After No. 4. *inſert*, The Regiſter is to perform all ſuch duties as may be preſcribed to him by the Court, who may aſſign to all the miniſterial officers their reſpective duties. *Beng.* 1793 *R* 13. § 5. ext. *Ben* 1795 *R* 12. § 2 *Ced Prov.* 1803 *R* 12. § 5

The Regiſter is to execute all the orders of the Court after its riſing, and is to perform, with the aid of the Aſſiſtants and native officers, the above duties, and thoſe of arranging the records, tranſlating and tranſcribing papers conformably to ſuch rules as the Court may preſcribe, the native officers are not to interfere publicly or privately in any matter before the Court. *Beng.* 1795 *R.* 13. § 8. ext. *Ben.* 1795 *R.* 12. § 2. *Ced. Prov* 1803 *R.* 12 § 11.

676 18. and 19. After *Beng inſert*, *Ben.*

23. For 1707 *read*, 1797.

678 44. Whenever any charge of corruption againſt a Regiſter or Aſſiſtant of a Crimi-

nal

Page

nal Court is preſented to the Zilla or City Court or to the Court of Appeal, or a ſimi- 678
lar charge againſt a Magiſtrate is preſented to the Court of Appeal or Sudder Dewannee Adaulut, it ſhall be tranſmitted, with a tranſlation, to the Governor General in Council. *Beng. Ben. Ced. Prov.* 1806 *R.* 10. § 4.

45. If the Governor General in Council ſhould deem a formal inquiry into ſuch charge, neceſſary, he will refer it for trial to the regular Courts, or to a ſpecial commiſſion. *Beng. Ben. Ced. Prov.* 1806 *R.* 10. § 5.

46. On the charge being referred for trial, the accuſed ſhall be ſuſpended from office and ſalary; but, in caſe of his acquittal, his ſalary will be paid to him from the date of his ſuſpenſion. *Beng. Ben. Ced. Prov.* 1806 *R.* 10. § 8.

3. Revenue and Commerce.

21. For 1800 *read*, 1803. 680

36. The Magiſtrate is to be a member of the Committee of embankments. 1806 681
R. 6. § 3.

4. Apprehension of Offenders.

2. *Omit*, ext.

4. 5. and 6. *Omit*, ext. 682

35. After *Beng. inſert*, *Ben.* 685

41. *Omit*, ext.

5. Proceedings after Apprehension.

After No. 7, *inſert*, Perſons guilty of counterfeiting or altering any entry in the re- 688
giſter of deeds, or a certificate of regiſtry, are to be proſecuted in the Criminal Courts. *Beng.* 1793 *R.* 36. § 12. ext. *Ben.* 1795 *R.* 28. § 2. *Ced. Prov.* 1803 *R.* 17. § 12.

And perſons taking, or attempting to take forcible poſſeſſion of land or crops, if any perſon be killed, wounded, or violently beaten. *Beng.* 1793 *R.* 49. § 4. ext. *Ben.* 1795 *R.* 14 § 2. *Ced. Prov.* 1803 *R.* 32 § 4.

And perſons ordering, knowing of, or conniving at, ſuch an attempt. *Beng.* 1793 *R.* 49. § 5. ext. *Ben.* 1795 *R.* 14. § 2. *Ced. Prov.* 1803 *R.* 32. § 5.

And both parties, if the affray happen in conſequence of their entertaining armed men, one to take, and the other to retain poſſeſſion by force. *Beng.* 1793 *R.* 49. § 6. ext. *Ben.* 1795 *R.* 14. § 2. *Ced. Prov.* 1803 *R.* 32. § 6.

After No. 15, *inſert*, Perſons forging the ſtamps, or uſing forged ſtampt paper, are to be committed for trial before the Court of Circuit. *Beng. Ben.* 1797 *R.* 6 § 30. *Ced. Prov.* 1803 *R.* 43. § 24.

22.

689 22. For *C.* 3. *read*, *C* 2.

After No. 22, *insert*, The trial need not be postponed for the evidence of such refusing witnesses longer than the Court may deem proper. *Beng. Ben.* 1803 *R.* 50. § 2. *C.* 3, *Ced. Prov.* 1803 *R.* 8. § 25 *C.* 3.

6. Offences Punishable by the Magistrate.

6 and 7. *Omit*, ext.

15. After *Beng. insert*, *Ben.*

19. The Magistrate of Twenty-four Pergunnas may punish, to the extent authorized for petty offences, any person driving stakes into the banks of the canals, excavating earth from the bank, or throwing ballast &c into the canal. *Beng.* 1806 *R.* 18. § 8.

20. And shall give immediate instructions to the Police officers for the removal of wrecks *Beng.* 1806 *R.* 18. § 9.

21. And for preventing encroachments and impediments to the navigation. *Beng.* 1806 *R.* 18. § 10.

8. Duties with the Court of Circuit.

693 22 Persons cutting through a public embankment may be punished by the Magistrate, or referred to the Court of Circuit, according to the extent of the offence. *Beng Ben. Ced. Prov.* 1806 *R.* 6. § 12. *C.* 6.

694 23. Or through a private embankment *Beng. Ben. Ced. Prov* 1806 *R.* 6. § 13.

9. For § 24. *read*, § 4.

11. *Omit*, ext.

695 23 In case the N'zamut Adaulut should direct the prisoners committed in one Zilla, to be brought to trial in another Zilla, the Magistrate who committed them shall transmit the prisoners and proceedings to the Magistrate of such other Zilla, and the latter shall execute all orders relating to such prisoners if addressed to him. *Beng. Ben. Ced. Prov.* 1806 *R.* 1. § 7.

9. Jail and Convicts

697 14 For 1801 *read*, 1804.

17 and 18. After *Beng. insert*, *Ben.*

10. Police.

Establishments.

699 11. In the margin, *add*, Rescinded 1797 *R.* 6. § 2.

34. Police officers may, with the ſanction of the Magiſtrate, remove their Naibs, Jemadars and Burkandazes. *Beng. Ben. Ced. Prov.* 1804 *R.* 5. § 12. 701

35. On the death, removal &c. of a Tehſildar in Benares and the Ceded Provinces, the Magiſtrate ſhall report, through the Nizamut Adaulut, to the Governor General in Council, the perſonal allowance and eſtabliſhments which he would recommend for the ſucceſſor for the preſervation of the peace. *Ben. Ced. Prov.* 1806 *R.* 21. § 2.

36. The Police eſtabliſhments of ſuch Tehſildars ſhall be paid by the Magiſtrate, and charged to the Judicial Department. *Ben. Ced. Prov.* 1806 *R.* 21. § 5.

†† Police Duties.

19. *Add,* And the Magiſtrate ſhall appoint others in the room of ſuch as may be inefficient, and ſhall ſee that the inhabitants pay them their accuſtomed wages. 703

23. For § p. *read,* § 4.

24. *Omit* ext.

††† Miscellaneous Duties.

12. The Police officers are to apprehend, and ſend to the Magiſtrate of the Twenty-four Pergunnas, all perſons who ſhall drive ſtakes into the banks of the canals, excavate earth from the bank, or throw ballaſt &c. into the canal. *Beng.* 1806 *R.* 18. § 8. 705

13. And, on receiving information of a veſſel ſinking in the canal, ſhall proceed to the ſpot and adopt meaſures, under the Magiſtrate's inſtructions, for the removal of the wreck. *Beng.* 1806 *R.* 18. § 9.

14. And ſhall report to the Magiſtrate all encroachments or impediments to the navigation. *Beng.* 1806 *R.* 18. § 10.

N. B. Such provisions only, regarding the Police, as relate personally to the Magistrate himself, are exhibited in this subdivision of the Magistrate's Court: all the other provisions will be found under the alphabetical head of Police.

XIII. *COURTS SPECIAL.*

8. For again, *read,* againſt. 710

CRIMES AND PUNISHMENTS.

I. *PREVENTION.*

10. *Add,* And the Magiſtrate ſhall appoint others in the room of ſuch as are inefficient, and ſhall ſee that the inhabitants pay them their accuſtomed wages. 716

After No. 34, *insert,* Police officers ſhall endeavour to ſecure the weapon with which a murder may appear to have been committed, in order to its production and identification on the trial. *Ced. Prov.* 1803 *R.* 35 § 25. *C.* 6. 718

719 40. The Police officers are to aſſiſt the Collector of the pilgrim tax in preventing accidents and in preſerving regularity and good order among the concourſe reſorting to the temple of Jugunnaut. *Beng.* 1806 *R.* 4. § 8.

41. When a Magiſtrate may require military aid, for the preſervation of the peace, or the apprehenſion of offenders, he ſhall ſtate in writing to the Commanding Officer the nature of the ſervice, leaving him to judge of the force neceſſary. 1806 *R.* 11. § 14. *C.* 1.

42. The allotment of the force ſhall reſt with the Commanding Officer, and the reſponſibility of calling for it with the Magiſtrate, who ſhall immediately report all ſuch requiſitions to Government. 1806 *R.* 11. § 14. *C.* 2.

43. And the Commanding Officer ſhall alſo tranſmit notice to the Commander in Chief. 1806 *R.* 11. § 14. *C.* 3.

II. *APPREHENSION OF OFFENDERS.*

2. For ext. *Ben.* 1795 *R.* 16. § 4. *C.* 1. *read, Ben.* 1795 *R.* 17. § 15.

723 49. Perſons attached to the temple of Jugunnaut, if guilty of any offence of a criminal nature, ſhall be delivered over to the Police officers to be proceeded againſt according to the Regulations. *Beng.* 1806 *R.* 4 § 17.

50. Perſons, who ſhall drive ſtakes into, or excavate earth from, the bank of a canal, or throw ballaſt &c. into the canal, ſhall be ſent to the Magiſtrates of Twenty-four Pergunnas, who may puniſh them to the extent authorized for petty offences. *Beng.* 1806 *R* 18. § 8.

III. *PROCESS.*

725 17. In the margin *add*, Modified 1801 *R.* 9. § 5.

726 26. For *Ben. read, Beng.*

32. The Peons, or miniſterial officers of the Magiſtrate, are on no account to enter the precincts of the temple, when employed in ſerving proceſs, or in the execution of any other duty. *Beng.* 1806 *R.* 4. § 21. *R.* 5 § 4.

IV. *PROCEEDINGS OF MAGISTRATES.*

727 5. For § 8. *read*, § 6.

729 26. For *R.* 7, *read*, *R.* 17.

32. For ext. *Ben. read*, ext. *Beng.*

730 After No. 37, *inſert*, And the Nizamut Adaulut ſhall, if it appear expedient, ſubmit the caſe to Government; and on the condition being fulfilled, ſhall, if the pardon be

authorized

Page

authorized, confirm it by a writing under the ſeal of the Court and ſignature of the Regiſter. *Beng. Ben.* 1796 *R.* 6. § 3. *Ced. Prov* 1803 *R.* 8. § 20. 730

68. Perſons, cutting through any public embankment, ſhall be proſecuted criminally before the Magiſtrate, who will either decide on the caſe, or refer it to the Court of Circuit, according to the extent of the injury. *Beng. Ben. Ced. Prov.* 1806 *R.* 6. § 12. *C.* 6. . 733

69. And through a private embankment. *Beng. Ben. Ced. Prov.* 1806 *R.* 6. § 13.

V. *TRIAL.*

63. The 17th April 1805, ſhall be the date of limitation for the cognizance of crimes in the Pergunnas ceded by the Raja of Bhurutpuor. *Ced. Prov.* 1806 *R.* 12. § 4. 740

IX. *EXTRAORDINARY JURISDICTIONS.*

4. For 1706 *read*, 1796. 761

15. *Add*, Or may mitigate the ſentence, reporting it to the Nizamut Adaulut. 762

CUSTOMS.

I. *GENERAL RULES.*

1. RULES FOR THE COLLECTOR &c.

29. In the margin, *add*, Modified 1805 *R.* 6. § 2. and 3. 768

3. PUBLIC SUITS.

17. In the margin, for Reſcinded, *read*, Re-enacted. 771

II. *CALCUTTA CUSTOMS.*

1. GENERAL RULES.

2. For § 2. *read*, § 21. 771

7. For *C* 5. *read*, *C.* 4. 773

16. For § 6. *read*, § 63.

III. *CALCUTTA PORT DUTIES.*

2. IMPORTS BY SEA.

9. For § 12. *read*, § 21. 781

30. For 1793 *read*, 1795. 782

3. EXPORTS BY SEA.

9. For boats, *read*, Goods found in any boats. 784

4. EXPLANATORY

4. EXPLANATORY RULES.

789 35 For § 18 *read*, § 16.

IV. *CALCUTTA TOWN DUTIES.*

2. IMPORTS BY SEA.

792 12. For § 5. *read*, § 4.

V. *BENGAL IMPORT AND EXPORT DUTY.*

798 After 34, *insert*, The importation of opium from the Vizeer's dominions or any foreign country is prohibited. 1797 *R.* 1. § 7.

Under the same penalties which are prescribed in Sections 4 and 5, Regulation 32 of 1793. 1797 *R.* 1. § 8.

And by the process of confiscation in Section 6, Regulation 32 of 1793. 1797 *R.* 1. § 9.

VI. *BENGAL TRANSPORT DUTIES.*

1. CUSTOM-HOUSE RULES.

800 30. For *R.* 11. *C.* 2. *read*, *R.* 11. § 20. *C.* 2.

32. For *R.* 11. 12. *read*, *R.* 11. § 12.

2. RATES OF DUTY.

801 10. At the end, *add*, 1801 *R.* 11. § 6. *C.* 6.

802 17. At the end, *add*, and § 7. *C* 2.

VII. *CITY DUTIES.*

805 11. Before 1801 *insert*, *Beng. Ben.*

806 18. *Omit*, *C.* 16.

807 35. to 41. Before 1805 *insert*, *Ced. Prov.*

808 42. and 44. Before 1805 *insert*, *Ced. Prov.*

VIII. *BENARES TRANSPORT DUTIES.*

1. RATES OF DUTY.

811 10. For 1794 *read*, 1795.

X. *CEDED AND CONQUERED PROVINCES.*

2. RATE OF DUTY.

820 9. For *C.* 11. *read*, § 15. *C.* 11.

3. DUTY ON SALT.

823 17. For § 5. *read*, *C.* 5.

Page

CUTTACK.

I. *CONSTITUTION.*

2 and 4. In the margin *add*, Modified 1805 *R.* 12. § 36. and 37. *R.* 13. § 13. *R.* 14. § 11. 824

5. In the margin *add*, Modified 1805 *R.* 13. § 12 and 13.

31. For *R.* 37. *read*, *R.* 12 § 37. 827

II. *LIMITATION OF DATES.*

17. *Add*, After the year 1213. 829

VOLUME II.

DAMAGES.

I. *IN JUDICIAL MATTERS.*

1. In the margin *add*, Re-enacted 1806 *R* 8. § 18. 1

III. *IN PRIVATE RENTS.*

20. For *Ben.* 1795 *R* 28. *read*, *Ben.* 1795 *R.* 45. 8

28. In the margin *add*, Modified 1799 *R.* 7. § 9. 9

IV. *IN COMMERCE.*

13. For § 21. *read*, § 20. 12

19. At the end *add*, *Ced. Prov.* 1803 *R.* 37. § 6. ext. *Ben.* 1805 *R.* 4. § 2.

35. For a Magistrate is, *read*, Magistrates are. 14

DECREES.

I. *HOW TO BE PASSED.*

15. At the end *add*, *C.* 1. 19

28. In the margin *add*, Rescinded 1806 *R.* 10. § 3. 20

30. At the end *add*, *R.* 31. § 40.

36 *Omit*, *Beng.* 21

40. The decrees in the Sudder Dewannee Adaulut in appeals from Chinsura and Chandernagore need not be on stamped paper. 1805 *R.* 1. § 11.

41. Courts are not competent to provide in their decrees for the payment of the amount by instalments. *Beng. Ben. Ced. Prov.* 1806 *R.* 2. § 10.

II. *HOW TO BE EXECUTED.*

1. In Ordinary Jurisdiction.

22 5. For § 2. *read*, § 3.

23 24. Decrees appealed to the Sudder Dewannee Adaulut from the Courts at Chinsura or Chandernagore shall remain unexecuted on the appellant giving good security, unless the Sudder Dewannee Adaulut deem it proper to order execution, and if the decree remain unexecuted, interest shall be allowed on it from its date in case of its being confirmed. 1805 *R.* 1. § 12. *C.* 1.

25. If the decree be executed good security shall be taken from the respondent. 1805 *R.* 1. § 12. *C.* 2.

26. If neither party can give security the property shall remain under attachment, or if of a perishable nature shall be converted into money by public sale. 1805 *R.* 1. § 12. *C.* 3.

2. In Special Cases.

24 5. For *R.* 5. § 24. *read*, *R.* 3. § 23.

8. At the end *add*, *C.* 1.

25 18. At the end *omit*, *C.* 1.

27. *Omit*, Or until four weeks have elapsed.

26 36. In the margin *add*, Rescinded 1806 *R* 10. § 3.

37. At the end *add*, *Ced. Prov.* 1803 *R.* 4 § 23. *C.* 2.

3. In Revenue and Commerce.

28 17. For § 41. *read*, § 47.

29 26. If a decree imposing a penalty for illicit dealings in opium cannot be executed by the sale of any property of the offender, the Court may commit him to jail for not more than six months. *Ced. Prov.* 1803 *R* 41. § 19.

DEEDS.

29 9. At the end *add*, *Cuttack* (before the 1st January 1808) 1805 *R* 12 § 32.

30 10 to 12. At the end *add*, *Cuttack* (after the 1st January 1808) 1805 *R.* 12. § 32.

31 24. For *R.* 45. § 9. *read*, *R.* 49. § 3

33 44 Deeds written on stampt paper not authenticated in the prescribed manner shall be deemed to be written on unstampt paper. *Beng Ben. Ced. Prov* 1806 *R.* 13. § 10

DEFAULT.

35 26. At the end, *add*, 1805 *R.* 8 § 9. *C.* 6.

Page

30. For *R.* 16 § 8. *C* 5 *read*, *R* 43. § 3 *C.* 5. 36

DEFECTS OF NATURE.

13. For the Collector being, *read*, The Collector on being. 37

15. At the end, *add*, *Ced. Prov.* 1803 *R.* 52. § 9. *C.* 6.

22. For *R* 8 *read*, *R.* 1. 38

25. The guardians of ſuch joint proprietors as are diſqualified ſhall ſuperintend their intereſts and exerciſe all ſuch powers as the proprietors themſelves could have exerciſed if qualified. *Beng.* 1805, *R.* 17. § 5.

DEFENDANTS.

I. *IN ORDINARY JURISDICTION.*

16. In the margin, *add*, Modified 1803 *R.* 49 § 17. *C.* 2. 1806 *R.* 2. § 9. 40

45. At the end, *add*, *Ced. Prov.* 1803 *R.* 16. § 29 *C.* 5. 43

II. *IN PRIVILEGED CASES.*

26 For *R.* 8. *read*, *R.* 4. 47

28. For *R.* 5 *read*, *R* 4.

DEMISE.

I. *OF PUBLIC OFFICERS.*

21. On the death of a Tehſildar in Benares or the Ceded Provinces the Collector 49 ſhall report through the Board of Revenue, and the Magiſtrate through the Nizamut Adaulut, to the Governor General in Council, the allowance and eſtabliſhments requiſite for the ſucceſſor for the collection of the revenue and the maintenance of the Police reſpectively. *Ben. Ced. Prov.* 1806 *R.* 21. § 2.

II. *OF PENSIONERS.*

After No. 28, *inſert*, After the death of an invalided Sepoy penſioner, the Collector, 52 on production of his deſcriptive roll, ſhall pay to his heir or other perſon entitled thereto the arrears of the penſion due till his death. 1804 *R* 1. § 24.

And ſhall tranſmit to the Military Auditor General the deſcriptive roll with the endorſement of the arrears paid to the heir. 1804 *R.* 1. § 25.

DEPUTATIONS.

I. *WHEN TO TAKE PLACE.*

37. At the end, *omit*, *C.* 3. 56

47. A deputation from the Committee of embankments ſhall annually examine the 57 ſtate of them and ſubmit their report to the Governor General in Council. *Beng. Ben. Ced. Prov.* 1806 *R.* 6. § 10.

57 48. The Collector shall depute a native officer to accompany troops on their march and assist in providing supplies. *Beng. Ben Ced. Prov.* 1806 *R.* 11. § 3. *C.* 1.

II. *HOW TO BE EXECUTED.*

57 1. In the margin, *add*, Modified 1799 *R.* 7. § 23. *C.* 3.

58 5. and 8. For *Beng.* 1793 *R.* 26. *read*, *Beng.* 1793 *R.* 25.

59 13. In the margin, *add*, Modified 1799 *R.* 7. § 23. *C.* 3. For *Ben.* 1795 *R.* 26. *read*, *Ben.* 1795 *R.* 20.

DISMISSION OF A SUIT.

66 8. For May, *read*, March.

10. At the end, *add*, *Cuttack* (after 1213) 1805 *R.* 12. § 15.

67 21. For *Beng.* 1796 *read*, *Beng.* 1795.

69 After No. 40, *insert*, If an information for the cultivation of poppy or for dealings in opium shall be dismissed and deemed litigious, the Court may make the informer pay all the charges incurred by the party with equitable damages. *Ced, Prov.* 1803 *R.* 41. § 20.

DISMISSION OF PUBLIC OFFICERS.

I. *REVENUE DEPARTMENT.*

69 1. In the margin, *add*, Modified 1804 *R.* 5. § 4.

70 After No. 10 *insert*, The Record-keepers of the Collectors shall be liable to dismission if any records be destroyed or lost through their neglect. *Beng.* 1793 *R.* 21. § 7. ext. *Ben.* 1795 *R.* 30. § 2. *Ced. Prov.* 1803 *R.* 23. § 7.

71 19. In the margin, *add*, Modified 1804 *R.* 5. § 19.

20. In the margin, *add*, Modified 1804 *R.* 5 § 10.

72 24. *Add* a comma after take, and *omit* the comma after of.

II. *JUDICIAL DEPARTMENT.*

74 14. In the margin, for § 2, *read*, § 14. and 15.

76 After No. 30. *insert*, The Magistrate of Benares shall dismiss such watchmen of the inhabited closes as may be found inefficient. *Ben.* 1795 *R.* 17. § 28.

77 After No. 39. *insert*, Munsif Commissioners will be liable to dismission on proof to the satisfaction of the Sudder Dewannee Adaulut, of having received any suit for damages of any nature. *Beng. Ben.* 1803 *R.* 49. § 14. *C.* 7. *Ced. Prov.* 1803 *R.* 16. § 29. *C.* 7.

III. *COMMERCIAL DEPARTMENT.*

79 19. In the margin, *add*, Rescinded 1804 *R* 6. § 2.

Page

DISPOSSESSION.

8. *Add*, And the appeal shall be dismissed with costs if the alleged ground of irrelevancy be not established. 82

DISQUALIFIED LANDHOLDERS.

I. *GROUNDS OF DISQUALIFICATION.*

7. At the end, *add*, *Ced. Prov.* 1803 *R.* 52. § 32. 83

19. For *C* 3. *read*, *C.* 4. 84

24. For § 37. *read*, § 57.

26. For § 7. *R.* 5. *C.* 7. *read*, *R.* 5. § 7. *C.* 7.

III. *RULES FOR THE MANAGER &c.*

2. MANAGEMENT OF THE ESTATE.

15. After *Ced. Prov. insert*, Beyond the minority of the proprietor. 91

DISTRESS.

IV. *SALE OF THE DISTRESS.*

8. In the margin *add*, Modified 1799 *R.* 7. § 4. 100

15. After weavers *insert*, And salt manufacturers.

DIVISION OF ESTATES.

I. *WHEN TO TAKE PLACE.*

8. In the margin, *add*, Modified 1801 *R.* 1. § 13. *C.* 3. 102

9. and 11. *Omit*, ext. and in margin, *omit*, Modified 1801 *R.* 1. § 13. 103

25. Nothing herein contained shall authorize the division of a landed estate in Cuttack where the succession to the entire estate devolves according to established usage to a single heir. *Beng.* 1805 *R.* 12. § 56 104

DURESS.

14. At the end, *add*, ext. *Beng.* 1797 *R.* 5. § 5. *Ced. Prov.* 1804 *R.* 3. § 10. *C.* 2 112

EMBANKMENTS.

II. *PUBLIC.*

3. For § 3. *read*, § 4. 115

ESCAPE.

1. In the margin, for Modified, *read*, Re-enacted. 118

3. At the commencement, *insert*, Section 5, Regulation 2 of 1799, and Section 22, Regulation 8 of 1803, are rescinded.

EUROPEANS.

III. *BRITISH SUBJECTS AND OTHERS.*

4. At the end, *add*, *Ced. Prov.* 1803 *R.* 19. § 5. 122

124 95. Any European not a public officer, employing any ſervants with badges, will be liable to the ſevere diſpleaſure of Government; and the Magiſtrates are directed to report all ſuch inſtances to the Governor General in Council. *Beng. Ben. Ced. Prov.* 1886 *R.* 11. § 9 *C.* 8.

IV. *RULES IN BENARES.*

125 17. For d 6. *read*, § 6.

EXAMINATIONS.

128 12. In the margin, *add*, Modified 1803 *R.* 50. § 2. *C.* 2.

129 17. In the margin, *add*, Modified 1803 *R.* 50. § 6.

EXCHANGE.

II. *EXCHANGE OF MONEY.*

132 6. At the end, *add*, *Cuttack* (prior to the end of the year 1213) 1805 *R.* 12. § 14.

134 25. All engagements for the public revenue in Cuttack are to be in Calcutta 19 Sun Sicca Rupees; and, after the year 1216, no other Rupees ſhall be received in payment of the revenue; but Rupees of ſorts ſhall be received at the Treaſury till the end of 1215 at the rates ſpecified in Section 14, Regulation 35 of 1793, and Cowries at the rate of four Cawns per Rupee: and if any Rupees not expreſſed in the ſaid Section be current in Cuttack, the Collector ſhall forward ſpecimens to the Secretary of Government in the Revenue Department for tranſmiſſion to the Aſſay Maſter; and the parties paying ſuch Rupees ſhall receive credit for the intrinſic value aſcertained by the Aſſay Maſter, after deducting twelve Annas per cent for refining: a table of ſuch Rupees ſhall be put up in the Collector's Cuchery and the Court-houſe. 1805 *R.* 12. § 13.

EXECUTION.

I. *OF CIVIL JUDGMENT.*

1. In Ordinary Cases.

135 After No. 3. *inſert*, Defendants confined in execution are to be maintained by the plaintiff at an allowance of not more than four Annas nor leſs than one Anna per diem; and ſhall be releaſed on non-payment of the allowance during one month after notice. *Beng.* 1793 *R.* 4. § 8. ext. *Ben.* 1795 *R.* 8. § 2. *Ced. Prov.* 1803 *R.* 3. § 10.

The property of a defendant attached for want of ſecurity by a Munſiff ſhall be delivered to the Court to be ſold in ſatisfaction of the decree if in favor of the plaintiff. *Beng.* 1793 *R.* 40. § 11. *C.* 2. ext. *Ben.* 1795 *R.* 31. § 2. *Ced. Prov.* 1803 *R.* 16. § 9. *C.* 2.

137 After No. 24. *inſert*, The ſame rule applies where the decree has been executed, pending the appeal, in conſequence of the appellant having failed to give ſecurity for having it. *Beng. Ben.* 1798 *R.* 5. § 5. *Ced. Prov.* 1803 *R.* 4. § 14. *C.* 2.

If

If neither party can give security, the property shall be attached at the expense of the party to whom it may be ultimately adjudged. *Beng. Ben.* 1798 *R.* 5 § 6. *Ced. Prov.* 1803 (in Provincial Court of Appeal) *R.* 4 § 12. *C.* 9. (in Sudder Dewannee Adaulut) *R.* 5 § 10. *C.* 10 137

26. In appeals to the Sudder Dewannee Adaulut from the Courts of Chinsura and Chandernagore the decree shall remain unexecuted if the appellant give good security, unless the Sudder Dewannee Adaulut think proper to order execution. 1805 *R.* 1. § 12. *C.* 1

27. But no decree shall be executed until the respondent shall have given good security for the amount. 1805 *R.* 1. § 12. *C* 2.

28 If neither party can give security the property shall be attached and any perishable property shall be converted into money by public sale. 1805 *R.* 1. § 12 *C.* 3

29. When property of the defendant or of his surety is forthcoming the Court is not competent to accept of an engagement to pay by instalments, unless consented to by the plaintiff, or except a short postponement of the sale of property be deemed expedient. But, where no property can be pointed out, the Court may release the defendant and surety on an engagement with security to pay by instalments without interest, and they shall not be liable to further arrest on the same judgment except for failure in their engagement. *Beng. Ben. Ced. Prov* 1806 *R.* 1. § 10.

30. The subsistence money to defendants confined in execution is to be reimbursed with the other costs, but they shall not be detained in confinement for the subsistence money only if no property can be pointed out. *Beng. Ben. Ced. Prov.* 1806 *R.* 2 § 12.

31. If defendants or their sureties confined in execution shall deliver to the Court a statement on oath of all property real and personal belonging to them the Court may release them with or without security for their appearance after selling such property or any part thereof, if satisfied of its truth by inquiry: but such parties may be again arrested on proof of fraudulent concealment; and any property subsequently possessed by them may be brought to sale. *Beng Ben Ced. Prov.* 1806 *R.* 2 § 11.

32. Property of defendants attached for want of security shall be answerable for the execution of the judgment if in favor of the plaintiff. *Beng. Ben. Ced. Prov.* 1806 *R.* 2 § 5 *C.* 3.

2. In Special Cases

28. In the margin, *add*, Rescinded 1806 *R.* 10 § 3. 139

29. If a decree imposing a penalty for contraband dealings in opium cannot be executed from the offender's property, the Court may commit him to the civil or criminal jail for not more than six months. *Ced. Prov.* 1803 *R.* 41. § 19 *Beng. Ben.* 1809 *R.* 5. § 2. 140

140 30. A decree impoſing a fine for the ſale of ſtampt paper without a Sunnud may be commuted for an imprifonment not exceeding ſix months. *Beng. Ben. Ced. Prov.* 1806 *R.* 13. § 8.

3. In Cases of Resistance.

140 2. and 3. and 5. In the margin, *add*, Modified 1799 *R.* 9. § 3.

2. and 5. At the end, *add*, *C.* 1.

141 6. and 7. In the margin, *add*, Modified 1799 *R.* 9. § 3.

10. At the end, *add*, *C.* 3.

142 20. and 23. At the end, *add*, *C.* 1.

25. For § 24. *read*, § 26.

143 33. After *R.* 3. § 25. *insert*, *C.* 1. And after *R.* 4. § 23. *insert*, *C.* 2.

II. *OF CRIMINAL SENTENCES.*

1. In Ordinary Cases.

145 21. For *R.* 4. *read*, *R.* 14.

EXHIBITS.

151 9. For *C.* 40. *read*, *C.* 4.

10. In the margin for Superſeded, *read*, Re-enacted.

152 15. For § 6. *read*, § 2.

22. At the end, *add*, *C.* 1.

FARMERS OF PUBLIC REVENUE.

I. *DUTIES AND RIGHTS.*

153 2. At the end, *add*, *Conq. Prov.* 1805 *R.* 9. § 28. *C.* 1.

3. At the end, *add*, *Conq. Prov.* 1805 *R.* 9. § 28. *C.* 2.

4. At the end, *add*, *Conq. Prov.* 1805 *R.* 9. § 28. *C.* 3.

156 55. Farmers on requiſition of the Collector ſhall provide the requiſite ſupplies &c. for troops on their march. *Beng. Ben. Ced. Prov.* 1806 *R.* 11. § 3 *C.* 1.

56. The Commanding Officer ſhall grant a certificate to the farmer who may provide boats or bridges ſpecifying the number of boats and boatmen, the burthen of each boat, the length of time employed, the dimenſions of each bridge, and the materials whereof compoſed. *Ibid* § 4. *C.* 1.

57. The farmers ſhall tranſmit ſuch certificate with a detail of the expenſe to the Collector, who ſhall communicate the particulars to the Commanding Officer for his certificate whether the ſervices charged were performed. *Ibid* § 4. *C.* 2.

58. On the return of the account the Collector ſhall tranſmit it with the vouchers for the orders of the Governor General in Council, and in the mean time may pay the whole or any reaſonable part of the charge. *Ibid* § 4. *C.* 3.

Page

59. Any farmer, deeming himſelf entitled to compenſation for any injury ſuſtained from the troops, ſhall furniſh an accurate account thereof to the Commanding Officer, who ſhall certify thereon whether the damage has been ſuſtained with his opinion reſpecting the juſtice of the claim. *Ibid* § 5. *C.* 1. 156

60. No claim to compenſation ſhall be received after ten days, unleſs on good reaſon for the delay; nor without the certificate, except on ſufficient cauſe for not obtaining it; and in the latter caſe the Collector previous to determining on the claim, ſhall tranſmit the petition and ſtatement to the Commanding Officer for his remarks. *Ibid* § 5. *C.* 2.

61. Copies of this Regulation ſhall be ſent by the Collectors to all farmers of land for publication. *Ibid* § 11.

II. *MISCELLANEOUS RULES.*

4. In the margin, *add*, Modified 1799 *R.* 9. § 13. 157

22. For *C.* 2. *read*, *C.* 7,

26. In the margin, *add*, Modified 1801 *R.* 6. § 7. *C.* 2. 158

30. and 36. In the margin, *add*, Modified 1801 *R.* 9. § 5. 159

After No. 45, *inſert*, The proceedings ſhall be ſubmitted to the Governor General in Council in caſe the Nizamut Adaulut confirm a ſentence of forfeiture. *Ben.* 1797 *R.* 2. § 3. *C.* 3. *Ced. Prov.* 1803 *R.* 35. § 3. *C.* 5. 160

48. At the end, *add*, *Ced. Prov.* 1803 *R.* 27. § 15. *C.* 4.

51. *Add*, And ſuch ſentences need not be referred to the Nizamut Adaulut, but ſhall be ſubmitted to the Court of Circuit at the next ſeſſions. 161

55. Farmers convicted of conniving at or being privy to the theft or robbery ſhall forfeit their leaſe. *Ced. Prov.* 1805 *R.* 8. § 14. *C.* 8.

56. If any farmer of land bound to repair an embankment ſhall omit to do it after being required thereto by the Committee, it ſhall be repaired by the public officers; and the expenſe, when ſanctioned by Government, ſhall be recovered from him. *Beng. Ben. Ced Prov.* 1806 *R.* 6. § 11.

III. *DUTIES TOWARDS THE TENANTS.*

4. For § 7. *C.* 1. *read*, § 6. and 8. 161

5. In the margin, *add*, Modified 1794 *R.* 4. § 5. And at the end, *add*, *Beng. Prov.* (till three years after the concluſion of a ſettlement) 1805 *R.* 8. § 20. *C.* 2 *Cuttack* (till the end of 1215) 1805 *R.* 13. § 7.

After No. 5, *inſert*, And ſhall regiſter the form of Pottahs in the Dewannee Adaulut after obtaining the Collector's approbation, and depoſit a copy of the form in each Cuchery. *Beng.* 1793 *R.* 8. § 58. *Ben.* 1795 *R.* 51. § 8.

162 After No. 9, *insert*, All engagements between farmers and their tenants shall be in the legal currency, and no claim on any engagements specifying any other Rupee shall be recoverable. *Beng.* 1793 *R.* 35. § 21. *Ced. Prov.* 1806 *R.* 45 § 23. *Cuttack* 1805 *R.* 12. § 16.

163 After 28, *insert*, Farmers in Benares are to appoint Putwarees for every village in the estate, registering the list in the Zilla Court and Collector's Cuchery, and affixing it in the Pergunna Cuchery, and notifying to the Court and Collector, all appointments quarterly. *Ben.* 1795 *R.* 27. § 9. *C.* 2. *Ced. Prov.* 1803 *R.* 29. § 2. *C.* 1.

And shall be liable to a fine if they neglect to appoint the Putwarees. *Ben.* 1795 *R.* 27. § 9. *C.* 9. *Ced. Prov.* 1803 *R.* 29. § 2 *C.* 8.

After No. 29, *insert*, Farmers may attach the land of a defaulting under farmer, and collect such rents as the defaulter would have been entitled to; and shall release the attachment, and render a fair account, on payment of the arrears with interest within the year. *Beng.* 1799 *R.* 7. § 15 *C.* 6 *Ben.* 1800 *R.* 5. § 14. *C.* 6. *Ced. Prov.* 1803 *R.* 28. § 32 *C.* 6.

164 34. Farmers are to give an Amilnama to all persons employed by them in the management of their rents. *Ced. Prov.* 1803 *R.* 30. § 3.

35 All native agents of a farmer are liable to the same rules and penalties with Putwarees; farmers are prohibited, under such penalty, as the Court may fix, from again employing an agent convicted of falsifying accounts *Ced. Prov.* 1803 *R.* 29. § 3. *C.* 2.

36. Farmers, are to prepare a form of Pottah adapted to the circumstances of the estate. *Ced. Prov.* 1803 *R.* 30. § 8.

FEES.

I. *ON THE INSTITUTION OF SUITS.*

1. Fees now Abolished.

165 31. For cases, *read*, Causes.

166 38. For open, *read*, Upon.

2. Fees now in Force.

166 7. At the end, *add*, *C.* 5.

168 33. At the end, *add*, *Ced. Prov.* 1803 *R.* 43. § 6. *C.* 1.

170 46. For *R* 43. *C.* 6. *read*, *R* 43. § 3. *C.* 6.

II. *ON THE PLEADING OF SUITS.*

172 18. At the end, *add*, *Ced. Prov.* 1803 *R.* 10. § 34. *C.* 4. And in the margin for Re-enacted, *read*, Modified.

Page

21. At the end, *omit*, And § 12. 172

III. *MISCELLANEOUS FEES.*

1. Revenue Department.

9. For *R.* 3 *read*, *R* 15. 174

2. Commercial Department.

1. In the margin, *add*, Modified 1800 *R.* 11. § 2. *C.* 5. 175

FEMALES.

2. At the end, *add*, *Ced. Prov.* 1803 *R.* 4 § 19. 177

3. For *R.* 4. § 19. *read*, *R.* 5. § 17.

FINES &c.

I. *WHEN TO BE IMPOSED.*

1. In Land Revenue.

4. For proof, *read*, Proof. 181

22. For *Ben R.* 37. *read*, *Ben. R* 42. 182

2. In the Sayer.

19. For *R.* 48 *read*, *R* 43. 186

3. In Commerce &c.

22. For *C* 1. *read*, *C.* 2. 189

4. In Salt &c.

24. Any fraudulent dealings in Chelans shall be liable to the same fines, as fraudulent dealings in Ruwanas, under Section 29, Regulation 6 of 1801 *Beng.* 1806 *R.* 9 § 5. 191

6. In Judicial Matters.

11. In the margin, *add*, Reſcinded 1806 *R.* 10 § 3. 194

27. *Add*, Or appeals to a Zilla or City Judge from the rejection or diſmiſſal by the Regiſter of an appeal from the deciſion of a Commiſſioner. 195

7. For Resistance.

16. For *Beng read*, *Ben.* 197

After No. 21, *inſert*, Reſiſtance to the proceſs of an Aſſiſtant Judge ſhall be liable to the ſame fines as reſiſtance to the proceſs of a Judge. *Beng. Ben.* 1803 *R.* 49 § 2. *C.* 5. *Ced Prov.* 1805 *R.* 8. § 12. *C.* 5.

II. *HOW TO BE RECOVERED.*

4. In Salt and Opium.

After No 30, *inſert*, If any information be deemed groundleſs, the informer ſhall be made to pay to the party accuſed all charges incurred with equitable damages. *Ced. Prov.* 1803 *R.* 41. § 20. 204

5. In

5. In Judicial Matters.

205 8. For *Beng. R.* 11. *read, Beng. R* 12.

9. In the margin, *add,* Reſcinded 1806 *R.* 10. § 3.

6. For Reſistance.

208 13. In the margin, *add,* Modified 1801 *R.* 9. § 5.

209 16. When the Magiſtrate ſhall judge it ſufficient to fine for reſiſtance of proceſs, under Section 8, Regulation 9 of 1793, he need not ſend his proceedings to the Nizamut Adaulut; but they ſhall be liable to reviſion by the Court of Circuit. *Beng. Ben.* 1801 *R.* 9. § 5. *Cod. Prov.* 1804 *R.* 3. § 2. *C* 5.

FOREIGN NATIONS.

MISCELLANEOUS RULES.

209 6. In the margin, *add,* Reſcinded 1795 *R.* 39. § 2.

210 12. For *R.* 9. *read, R.* 39.

FORFEITURES.

I. *WHAT INCURRED.*

1. Forfeiture of Lands.

216 1. For § 5. *read,* § 15.

218 23. For *C.* 2. *read, C.* 3.

2. Forfeiture of Perſonals.

220 3. and 4. At the end, *add,* ext. *Ben.* 1806 *R.* 17. § 2.

6. At the end, *add, Ben* 1795 R. 45. § 22. *Cod. Prov.* 1803 *R.* 28. § 22.

11. In the margin, *add,* Modified 1799 *R.* 7. § 10. And in Benares 1800 *R.* 5. § 10.

14. In the margin, *add,* Modified 1799 *R.* 8 § 6.

221 29. The forfeiture of intereſt by Section 8, and of principal and intereſt by Section

222 9, Regulation 15 of 1793, ſhall not be applicable to loans bonâ fide contracted or inſtruments voluntarily entered into before the 1ſt January 1807. *Ben.* 1806 *R.* 17. § 5.

II. *HOW ADJUDGED.*

224 23. At the end, *add,* In Provincial Courts of Appeal. *R* 4. § 23. *C* 2.

GARRISONS &c.

234 2. In the margin, for Reſcinded, *read,* Re-enacted and for § 2. *read,* § 3 and 4.

235 3. and 4. In the margin, *add,* Re-enacted 1806 *R.* 20. § 3 and 4.

5. In the margin, for § 2. *read,* § 3. and 4.

6. In the margin, *add,* Re-enacted, 1806 *R.* 20. § 3 and 4.

7. In the margin, for Reſcinded, *read,* Re-enacted; and for § 2. *read,* § 3 and 4.

GOVERNOR

Page

GOVERNOR GENERAL IN COUNCIL.

I. *LEGISLATIVE AUTHORITY.*

5. For the Sudder Dewannee Adaulut is, *read*, The Sudder Dewannee and Nizamut Adauluts are reſpectively. 239

43. For military, *read*, Similar. 242

II. *PUBLIC OFFICERS.*

10. For *Ben. read*, ext. *Ben.* 244

16. *Omit*, ext.

46. For *R.* 12. *read*, *R.* 11. 247

55. On the death &c. of a Tehſildar in Benares and the Ceded Provinces, the Governor General in Council will fix the allowance and eſtabliſhments of the ſucceſſor, on the reports of the Collector and Magiſtrate, through the Board of Revenue and Nizamut Adaulut, for the purpoſes of revenue and Police reſpectively. *Ben. Ced. Prov.* 1806 *R.* 21. § 2. 248

III. *PENSIONS &c.*

13 In the margin, *add*, Superſeded 1806 *R.* 22. § 3. 249

15. After Ceded Provinces, (for Tehſildars.) 250

26. At the end, *add*, *Ced. Prov.* 1803 *R.* 36. § 21. *C.* 2. 251

IV. *LAND IN GENERAL.*

51. The Committees of embankments are to report when they deem it neceſſary to make ſluices of maſonry through the embankments. *Beng. Ben. Ced. Prov.* 1806 *R.* 6. § 12. *C.* 2. 258

V. *SETTLEMENT OF THE REVENUE.*

11. At the end, *add*, *Ced. Prov.* 1803 *R.* 52. § 1. 259

VI. *RECOVERY OF ARREARS.*

After No. 17. *inſert*, Government reſerves to itſelf the right to ſell land in Benares for the recovery of revenue arrears. *Ben.* 1795 *R.* 2. § 26. 264

The lands of defaulting proprietors may be let in farm by order of Government. *Ben.* 1795 *R.* 6. § 17. *C.* 4. *Ced. Prov.* 1803 *R.* 27. § 17. *C.* 4.

Any ſurplus proceeds of a ſale of land for the recovery of revenue arrears ſhall be paid to the proprietor unleſs otherwiſe directed by Government. *Beng.* 1796 *R.* 5. § 5. ext. *Ben.* 1800 *R.* 5. § 26. *Ced. Prov.* 1803 *R.* 26. § 3.

265 28. The Tehſildars appointed under this Regulation ſhall receive abatements for any remiſſions granted by Government to the Zemindars, and for any loſs proved to the ſatisfaction of the Governor General in Council to have ariſen in the Amaunee lands or from the irreſponſibility of the landholders. *Ben. Ced. Prov.* 1806 *R.* 21. § 4.

VII. *SAYER &c.*

265 3. For *R.* 38. § 18. *read*, 1805 *R.* 6. § 40. *C.* 2.

4. At the end, *add*, 1805 *R.* 6. § 41.

267 33. The Board of Revenue ſhall ſubmit the caſe with their opinion to the Governor General in Council whenever a Collector deems the diſtance fixed by the Commanding Officer of an European cantonment for the eſtabliſhment of liquor ſhops in its vicinity to be unneceſſarily great. *Beng. Ben. Ced. Prov.* 1806 *R.* 20. § 3.

34. And when of opinion that the duty on liquor ſhops near ſuch cantonment ſhould be increaſed. *Beng. Ben. Ced. Prov.* 1806 *R.* 20. § 5.

35. The Governor General in Council will order the licenſe to be withdrawn of any liquor ſhop which he may deem injurious to the European troops quartered at a cantonment. *Beng. Ben. Ced. Prov.* 1806 *R.* 20. § 4.

IX. *PUBLIC SUITS.*

274 21. In the margin, *add*, Reſcinded 1806 *R.* 10. § 2.

275 28. In the margin, *add*, Reſcinded 1806 *R.* 10. § 3.

HOMICIDE.

295 30. For *Ced. Prov.* § 9. *C.* 4. *read*, *Ced. Prov.* § 25. *C.* 4.

HOUSE-BREAKING.

297 After No. 7, *inſert*, And for this propoſe ſhall patrole the ſtreets from midnight till day light. *Beng.* 1793 *R.* 22. § 29. *Ben.* 1795 *R.* 17. § 26.

JAIL DELIVERIES.

III. *BEFORE WHOM TO BE HELD.*

304 14. to 16. In the margin, *add*, Re-enacted 1797 *R.* 3. § 6.

JOINT TENANCY.

306 2. For *C.* 2. *read*, *C.* 1.

307 9. For § 5. *read*, § 3.

11. For *R.* 12. § 3. *read*, *R.* 11. § 5.

309 30. At the end, *add*, *Ced. Prov.* 1803 *R.* 16. § 36.

Page

31. In the margin, *add*, Re-enacted 1799 *R.* 7. § 19. 309

32. In the margin for Re-enacted, *read*, Reſcinded.

38. For § 1. *read*, § 3.

IDIOTISM.

2. At the end, *add*, *Ced. Prov* 1803 *R.* 52. § 1. 314

24. Sections 23 to 25, Regulation 8 of 1793, are reſcinded; and the proprietors of joint eſtates ſhall be left to manage them without any interference of the Collector or Board. *Beng.* 1805 *R.* 17 § 2. 316

25. The guardians of ſuch joint proprietors as are diſqualified ſhall ſuperintend their intereſts and exerciſe the ſame powers which could have been exerciſed by the proprietors themſelves if qualified. *Beng.* 1805 *R.* 17. § 5.

IMPRISONMENT.

I. *IN CIVIL CASES.*

1. In Mesne Process.

25. In the margin, *add*, Modified 1805 R. 17. § 3. 318

2. In Execution.

17. For *C.* 4. *read*, *C.* 5. 320

II. *IN CRIMINAL CASES.*

2. For Restraint &c.

After No. 6, *infert*, Setting fire to any houſe or village is not bailable. *Ben.* 1795 *R.* 16. § 4. *C.* 2. *Ced. Prov.* 1804 *R.* 3. § 7. 325

20. For *G.* 2, *read*, *C.* 1. 327

INDIGO.

I. *DUTIES ON INDIGO.*

1. In the margin, *add*, Reſcinded 1795 *R.* 39. § 2. 327

2. In the margin, *add*, Re-enacted 1795 *R.* 39. § 17. *C.* 3.

5. to 10. In the margin, *add*, Modified 1802 *R.* 5. § 2. *C.* 2. 328

17. At the end, *add*, *Ced. Prov.* 1803 *R.* 38. § 12. *C.* 6. 1804 *R.* 11. § 15. *C.* 9. 329

INFORMERS.

I. *IN COMMERCE.*

15. For *R.* 5, *read*, *R.* 6. 332

334 34. *Insert,* The informer in matters of opium shall pay all charges and equitable damages if the information be deemed groundless. *Ced. Prov.* 1803 *R.* 41. § 20.

INHERITANCE.

I. *ESTATES IN GENERAL.*

336 17. In the margin, *add,* Modified 1800 *R.* 10 § 2. 1805 *R.* 12. § 36.

338 After No. 36, *insert,* The rules of Section 5, Regulation 18 of 1797, are to be strictly observed by Head Commissioners in suits regarding land. *Beng. Ben.* 1803 *R.* 49. § 9. *C.* 9. *Ced. Prov.* 1803 *R.* 16. § 26.

II. *PENSIONS &c.*

339 3. *Omit, R.* 42. § 2. *C.* 5.

7. For § 5, *read,* § 15.

340 11. For 1793, *read,* 1795.

After No. 15, *insert,* On the death of an invalid Sepoy pensioner, the arrears of pension due till his decease shall be paid to his heir. *Beng.* 1804 *R.* 1. § 24.

17. Grants of rent-free lands in commutation of pensions shall be to the grantees and their heirs in perpetuity. *Beng. Ben. Ced. Prov.* 1806 *R.* 22. § 9.

18. Hereditary pensions shall not be commuted for grants of rent-free land without the consent of the present pensioners or their successors. *Beng. Ben. Ced. Prov.* 1806 *R.* 22. § 9.

III. *INVALID'S JAGEERS.*

342 22. Jageers inherited by widows from their husbands are not forfeited by the widow's marrying again, but shall descend to their heirs at law. *Beng.* 1804 *R.* 1. § 12.

INSURANCE AND RESPONDENTIA.

345 At the end, *add,* Ext. *Ben* 1806 *R.* 17. § 2.

INTEREST.

345 8. to 11. At the end, *add,* Ext. *Ben* 1806 *R.* 17. § 2

12. At the end, *add, Cuttack* (after 14th October 1803) 1805 *R.* 14. § 9. *C.* 4. *Ben.* (after 1st January 1807) 1806 *R.* 17. § 5.

346 13. At the end, *add, Cuttack* (after 14th October 1803) 1805 *R.* 14. § 9 *C.* 5. *Ben.* (after 1st January 1807) 1806 *R.* 17. § 5.

14. At the end, *add, Ben.* (till the end of the year 1213) 1806 *R.* 17. § 6.

347 29, 30, 31. Before 1805, *insert, Beng.*

Page

29. After October, *insert*, 1803. 347

40. The 17th April 1805, is to be the date for limiting the rate of interest in the Pergunnas ceded by the Raja of Bhurutpoor. *Ced. Prov.* 1806 *R.* 12. § 6. 348

INTESTATES.

1. In the margin, *add*, Modified 1800 *R.* 10. § 2. 1805 *R.* 12. § 36. 348

After No. 18, *insert*, No division is authorized of a landed estate in Cuttack the succession towhich by established usage devolves to a single heir. *Beng.* 1805 *R.* 12. § 26. 350

INVALIDED SEPOYS.

I. *RULES FOR THE T'HANAS.*

26. For *R.* 23 § 3. *read*, *R* 43 § 23 *C.* 3. 352

28. For *C.* 2 *read*, *C.* 3.

After 28, *insert*, Nor for invalids prosecuted for criminal offences. *Beng.* 1793 *R.* 43. § 24. *C.* 2.

IV. *RULES FOR THE T'HANA JAGEERS.*

12. For *C.* 10 *read*, *C.* 11. 359

KHAS COLLECTIONS.

After No 9, *insert*, The Malikana on lands held Khas is to be at the rate of ten per cent on the neat collections. *Beng.* 1793 *R.* 8. § 44. *Ced. Prov.* 1803 *R* 27. § 53. *C.* 5. *Ben.* 1805 *R.* 9 § 8. 364

24. At the end, *add*, *Ced. Prov.* 1803 *R* 31. § 8. *R.* 36 § 8. & 21. *C.* 2. 365

KING IN COUNCIL.

2. For *C.* 2. *read*, *C.* 1. 367

LANDED PROPERTY.

I. *SUITS.*

29. In the margin, *add*, Modified 1798 *R.* 5. § 3. 373

33. In the margin, *add*, Modified 1801 *R.* 2. § 8. 1805 *R.* 2. § 10. *C.* 1.

After No. 33, *insert*, If landed property, decreed to the plaintiff, but left in the possession of the defendant during his appeal, be sold by Government for an arrear of revenue due from the party in possession, and the other party shall purchase it, the latter on its being finally adjudged to him shall recover from the defaulter the purchase money with interest and the profits anterior to the sale, and also if any other person purchase it; unless the defaulter himself be proved to have purchased it, in which case possession of the land

373 ſhall notwithſtanding the ſale be given to the party to whom it has been adjudged. *Beng. Ben* 1798 *R.* 5. § 4 *Ced. Prov.* 1803 *R* 4 § 14. *C* 1.

If the ſecurity originally taken for ſtaying execution of an appealed decree be ſubſequently deemed inſufficient, further ſecurity may be required, and in default thereof the decree may be executed after taking the preſcribed ſecurity from the reſpondent. *Beng. Ben* 1798 *R* 5 § 3. *Ced Prov.* (in Provincial Courts) 1803 *R.* 4 § 12. *C.* 8. (in Sudder Dewannee Adaulut) 1803 *R.* 5. § 10. *C.* 9.

And the ſame rules apply where the reſpondent has poſſeſſion in conſequence of the appellant originally failing to give ſecurity for ſtaying execution *Beng. Ben* 1798 *R.* 5. § 5. *Ced Prov.* 1803 *R.* 4 § 14. *C.* 2.

If neither party can give ſecurity the land ſhall be attached through the Collector at the expenſe of the party to whom it may be ultimately adjudged *Beng. Ben* 1798 *R* 5. § 6. *Ced Prov.* (in Provincial Courts) 1803 *R.* 4. § 12. *C.* 9. (in Sudder Dewannee Adaulut) 1803 *R.* 5. § 10. *C.* 10.

35. For *C.* 13, *read*, *C.* 12.

36. In the margin for § 16. *C.* 3, *read*, § 6. *C.* 4.

374 40. For *C.* 4, *read*, *C.* 3.

II. *RIGHT OF PROPERTY.*

1 At the end, *add*, *Ben.* (after 1ſt January 1807) 1806 *R* 17. § 6.

378 37. In the margin, *add*, Modified 1800 *R.* 10 § 2. 1805 *R* 12. § 36.

380 59 It is not intended to authorize the diviſion of any landed eſtate in Cuttack the ſucceſſion to which by eſtabliſhed uſage devolves to a ſingle heir. *Beng.* 1805 *R.* 12. § 36.

III. *PENALTIES AND FORFEITURES.*

383 36. In the margin, *add*, Modified 1801 *R.* 9 § 5.

384 52. The penalty of forfeiture of land is extended to landholders convicted of conniving at or being privy to theft or robbery. *Ced. Prov.* 1805 *R.* 8. § 14. *C.* 8.

LANDHOLDERS.

I. *GENERAL RIGHTS.*

385 6. In the margin, *add*, Modified 1800 *R.* 10 § 2. 1805 *R.* 12. § 36.

386 18 It is not intended to authorize the diviſion of any landed eſtate in Cuttack the ſucceſſion to which by eſtabliſhed uſage devolves to a ſingle heir. *Beng.* 1805 *R.* 12. § 36.

N. B *What perſons are and what are not actual proprietors of the ſoil will be found under landed property.* 11. 20. to 30.

II. *REVENUE*

Page

II. *REVENUE.*

12. For *C.* 2. *read*, *C.* 1. 387

After No. 56, *insert*, The person of a defaulting landholder is liable if the arrear be not realized by the sale of all his property. *Beng.* 1799 *R.* 7. § 23. *C.* 5. 391

But the restriction against the confinement of disqualified and female landholders is to remain in force. *Beng.* 1799 *R.* 7. § 27.

III. *MISCELLANEOUS RULES.*

36. For § 13, *read*, § 3. 394

IV. *DUTIES TOWADS THE TENANTS.*

After No. 13, *insert*, Landholders are expected to behave with good faith and moderation towards their tenants and to enjoin the same conduct to their agents. *Beng.* 1793 *R.* 1. § 7. *Ben.* 1795 *R.* 27. § 4. *C.* 2. *Ced. Prov.* 1803 *R.* 25. § 34. *Cong. Prov.* 1805 *R.* 9. § 21. 396

18. At the end, *add*, *Cuttack* 1805 *R.* 12. § 16. 397

20. At the end, *omit*, *C.*

27. *Add*, But they may without application to the Court annul the lease of a defaulting under farmer, or oust a defaulting tenant having only right of occupancy; and may by application to the Court bring to sale any tenure transferrible by sale.

After No. 27, *insert*, They may attach the lands of any defaulting under farmer or tenant, and collect such rents as the defaulter himself would have been entitled to; but shall release the attachment and render a fair account if the arrear with interest be liquidated within the year. *Beng.* 1799 *R.* 7. § 15. *C.* 6. *Ben.* 1800 *R.* 5. § 14. *C.* 6. *Ced. Prov.* 1803 *R.* 28. § 32. *C.* 6.

34. Landholders are to prepare a form of Pottah adapted to the circumstances of their estates. *Ced. Prov.* 1803 *R.* 30. § 8. 398

V. *POLICE DUTIES &c.*

32. At the end, *add*, And commutable for a fine by the Nizamut Adaulut. 401

62. The penalty of forfeiture of land is extended to landholders convicted of conniving at or being privy to theft or robbery. *Ced. Prov.* 1805 *R.* 8. § 14. *C.* 8. 404

LAND REVENUE.

I. *GENERAL RULES.*

8. For *R.* 7, *read*, *R.* 5. 404

II. *BENGAL*

II. *BENGAL &c.*

1. With whom the Settlement shall be made.

408 After No. 15, *insert*, Mokurrurree leaſes to the proprietors of the ſoil are to continue in force if made or confirmed by Government, ſubject to the pleaſure of the Court of Directors. 1793 *R.* 8. § 17.

Reſcinded 1805 R. 17 § 2 Joint proprietors if not all diſqualified are to elect a manager by the majority of votes or intereſt, but if the votes and intereſt be both equal the Board ſhall appoint the manager. 1793 *R.* 8. § 23.

ditto And if the proprietors omit to elect a manager the Collector ſhall nominate him for the Board's approbation; ſuch manager is to have the excluſive management; but the expenſe and reſponſibility ſhall reſt with the proprietors. 1793 *R* 8. § 25.

ditto The guardians of ſuch proprietors as have guardians ſhall vote in the election. 1793 *R.* 8. § 24.

3. Mofussil.

419 After No. 22, *insert*, The manager of a minor's eſtate ſhall not grant any leaſe to extend beyond the life of the proprietor. 1793 *R.* 10. § 16.

421 41. In the margin, *add*, Re-enacted 1799 *R.* 6. § 12.

423 After No. 63, *insert*, Landholders exacting more than the eſtabliſhed rents from the opium tenants may be ſued for damages. 1799 *R* 6. § 12.

III. *BENARES.*

1. Sudder Settlement.

424 5. For *C.* 2, *read*, *C.* 3.

3. Mofussil Settlement.

433 6. At the end for and 5, *read*, *C.* 5.

435 After No 31, *insert*, Landholders exacting more than the eſtabliſhed rents from the opium tenants may be ſued for damages. 1799 *R.* 6. § 12.

IV. *CEDED PROVINCES.*

3. Mofussil Settlements.

446 12. For § 3, *read*, § 53.

447 After No. 19, *insert*, Nor a manager of a minor's eſtate, a leaſe to extend beyond the minority of the proprietor. 1803 *R.* 52. § 20.

LAW—

Page

LAW—MUHAMEDAN &c.

II. *IN CRIMINAL CASES.*

7. *Omit, Ced. Prov* 1803 *R.* 7. § 22. 457

10. and 11. In the margin, *add,* Re-enacted 1797 *R.* 4. § 3. 458

50. For 1806, *read,* 1805. 462

LAW PAPERS.

16. Deeds written on ſtampt paper not authenticated in the preſcribed mode ſhall be deemed to be written on unſtampt paper. *Beng. Ben. Ced. Prov.* 1806 *R.* 13. § 10. 464

LEASES.

1. GENERAL RULES.

26. At the end, *add, Cuttack* (after the year 1213) 1805 *R.* 12. § 16. 466

31. At the end, *add, Ced. Prov.* 1803 *R* 47. § 8.

32. At the end, *add, Ced Prov.* 1803 *R.* 47. § 6. *C.* 1.

47. For *R.* 52, *read, R.* 51. 468

II. *SPECIAL RULES.*

2. INVALIDS.

12. For *R* 45, *read, R.* 43. 472

13. In the margin for § 16, *read,* § 10.

43. For *C.* 13, *read, C.* 14. 475

LICENSES.

36. In the margin, *add,* Re-enacted 1806 *R.* 20. § 3. 478

44 The Collector is to conſult the Commanding Officer of a cantonment at which European troops are quartered and ſhall be guided by his recommendation as to the diſtance at which licenſes may be granted for liquor ſhops, unleſs of opinion that the diſtance propoſed is unneceſſarily great; in which caſe he ſhall report the circumſtances to the Board of Revenue who ſhall ſubmit it with their opinion to Government. *Beng. Ben. Ced. Prov.* 1806 *R.* 20. § 3. 479

45. The Governor General in Council will order the licenſe of any liquor ſhop to be withdrawn, if its continuance ſhould appear to him to be injurious to the European troops in any cantonment. *Beng Ben. Ced. Prov.* 1806 *R.* 20. § 4.

LIMITATION OF APPEALS.

I. *IN RESPECT TO AMOUNT.*

1. FROM THE ZILLA COURTS.

5. In the margin, for *R.* 8. § 6, *read, R.* 8. § 16. 484

2. From the Appeal Courts.

488 2. In the margin, *add*, Modified 1801 *R.* 2. § 8. 1805 *R.* 2. § 10. *C.* 1.

489 13 Before 1803, *omit*, *Beng.*

15. and 19. In the margin, *add*, Modified 1805 *R.* 2. § 10. *C.* 1.

3. From Extraordinary Tribunals.

490 4. In the margin, *add*, Superseded. 1806 *R.* 22. § 3.

491 13. The appeal from the decision of a Collector to the Board of Revenue, and from the decision of the Board to the Governor General in Council, on a claim to a pension, is superseded. *Beng. Ben. Ced. Prov.* 1806 *R.* 22. § 3.

II. *IN RESPECT TO TIME.*

2. From Extraordinary Tribunals.

493 3. In the margin, *add*, Superseded 1806 *R.* 22. § 3.

LOANS.

495 9. For *R.* 13, *read*, *R.* 15.

14. 15. 16. 17. 18. At the end, *add*, ext. *Ben.* 1806 *R.* 17. § 2.

496 27. In the margin, *add*, *C.* 4.

499 55. And the 17th April 1805 in the Pergunnas ceded by the Raja of Bhurutpoor. *Ced. Prov.* 1806 *R.* 12. § 6.

56. All documents written on stampt paper not authenticated in the prescribed mode shall be deemed to be written on unstampt paper. *Beng. Ben. Ced. Prov.* 1806 *R.* 13. § 10.

57. The provisions of Regulation 15 of 1793, are extended to the Province of Benares from the commencement of the year 1807, subject to the following modifications. *Ben.* 1806 *R.* 17. § 2.

58. If the cause of action arose before the year 1807 the Courts are to decree interest at the rate stipulated, or according to the usage of the province if no specific rate shall have been stipulated. *Ben.* 1806 *R.* 17. § 3.

59. If the cause of action arose after the beginning of the year 1807, the Courts shall not decree interest above the rate of one per cent per mensem. *Ben.* 1806 *R.* 17. § 4.

60. The forfeiture of interest under Section 8, and the forfeiture of principal and interest under Section 9, shall not be applied to loans, bona fide contracted before the beginning of the year 1807 *Ben.* 1806 *R.* 17. § 5.

MANAGERS.

503 10. In the margin, *add*, Modified 1799 *R.* 7. § 26.

Page

18. For *R.* 8, *read* *R.* 10. 503

20. For § 40, *read*, § 36. *C.* 2. 504

42. In the margin, *omit*, Reſcinded 1805 *R* 17 § 2. 505

MARKETS.

4. At the end, *add*, *Ced. Prov.* 1804 *R.* 11. § 53. 508

13. In the margin, *add*, § 3. 509

MINORITY.

After No. 20, *inſert*, The manager of a minor's eſtate ſhall not grant any leaſe to extend beyond the life of the proprietor. *Beng.* 1793 *R.* 10. § 16. *Ced. Prov.* (beyond the minority) 1803 *R.* 52. § 20. 512

MINTS AND COIN.

I. *GENERAL RULES.*

13. For of ſalt, *read*, Or ſalt; and at the end for § 26, *read*, 16. 516

MOLUNGEES.

17. In the margin, *add*, Modified 1799 *R.* 7. § 4. 528

MONEY OBLIGATIONS.

7, 11, 12, 13, 14. At the end, *add*, ext. *Ben.* 1806 *R.* 17. § 2. 531

55. The 17th April 1805 is to be the date for limiting the rates of intereſt in the Pergunnas ceded by the Raja of Bhurutpoor. *Ced. Prov.* 1806 *R.* 12. § 6. 585

56. All money obligations &c. written on ſtampt paper not authenticated in the preſcribed mode ſhall be deemed to be written on unſtampt paper. *Beng Ben. Ced. Prov.* 1806 *R.* 13. § 10.

MORTGAGES.

17. In the margin, *add*, Modified 1806 *R.* 17. § 7. 536

19. In the margin, *add*, Modified 1806 *R.* 17. § 7. and 8. 537

38 Any mortgage ſubſequently granted on property of the defendant attached for want of ſecurity ſhall be null and void. *Beng. Ben. Ced. Prov.* 1806 *R.* 2. § 5. *C.* 2. 539

MUTILATION.

10. For 1803, *read*, 1805. 541

NATIVE OFFICERS.

I. *MODE OF APPOINTMENT.*

8. For § 4. *read*, § 2. 542

After No. 36. *inſert*, Special Commiſſioners for the ſale of diſtrained property ſhall be appointed under the ſame rules with Commiſſioners of lawſuits. *Beng.* 1799 *R.* 7. § 7. *Ben.* 1800 *R.* 5. § 7. *Ced. Prov.* 1803 *R.* 28. § 27. *C.* 4. 544

544 46. For § 5, *read*, § 4.

II. *JUDICIAL DEPARTMENT.*

3. Other officers of the Courts.

557 40. For defendant, *read*, dependent; and for *C.* 6. *read*, *C.* 5.

558 After 41, *insert*, Munsif Commissioners shall be liable to dismission if proved to the satisfaction of the Sudder Dewannee Adaulut to have received any suit for damages of any nature. *Beng. Ben.* 1803 *R.* 49. § 14. *C.* 7. *Ced. Prov.* 1803 *R.* 16. § 29. *C.* 7.

III. *REVENUE DEPARTMENT.*

2. Mofusil Officers.

564 33. Tehsildars appointed under this Regulation shall have the same powers with the present Tehsildars, both as officers of revenue and Police. *Ben. Ced Prov.* 1806 *R.* 21. § 3.

34. And shall be responsible for the revenues, but will be entitled to remissions for any actual losses in the Amanee lands or from irresponsibility of the landholders proved to the satisfaction of Government, and for any abatements granted by Government to the landholders. *Ben. Ced. Prov.* 1806 *R.* 21. § 4.

NEGLECT OF DUTY.

I. *JUDICIAL DEPARTMENT.*

578 30. *Insert*, ext *Ben.* 1795 *R.* 18. § 2.

574 After No. 49, *insert*, Commissioners of lawsuits are liable to dismission if they permit any person to plead a cause before them except he be a relation or dependant of the party or an established Vakeel nominated by the Judge. *Beng. Ben.* 1803 *R.* 49. § 16. *C.* 5. *Ced. Prov.* 1803 *R.* 16. § 7. *C.* 5.

And if they receive any suit for damages of any nature. *Beng. Ben.* 1803 *R.* 49. § 14. *C.* 7. *Ced. Prov.* 1803 *R.* 16 § 29. *C.* 7.

II. *REVENUE DEPARTMENT.*

579 40. The Pundits of the temple of Jugunnaut are removable on proof of misconduct to the satisfaction of the Governor General in Council. *Beng.* 1806 *R.* 4. § 15.

OATH.

I. *OFFICIAL.*

585 35. For *R.* 35, *read*, *R.* 25.

II. *JUDICIAL.*

589 18. At the end, *add*, ext. *Ben.* 1806 *R.* 17. § 2.

21. For. *Ced. Prov. R.* 12, *read*, *Ced. Prov. R.* 11.

590 27. For § 5, *read*, § 6.

28.

Page

28. At the end, *omit*, *C.* 1. 590

29 At the end, *add*, *C.* 1.

32. For *C.* 4, *read*, *C.* 1.

45. For § 17, *read*, § 11. and *add*, *Ced. Prov.* 1803 *R.* 17. § 11. 591

60. After witneſs, *inſert*, In any Court civil or criminal. 592

61. *Add*, Nor the deciſion of any caſe civil or criminal.

65. For Courts of Circuit, *read*, Criminal Courts; and for § 2. *C.* 1, *read*, § 5. 593

69. The informer may be examined on oath upon the trial of any charge of corruption againſt a revenue or commercial officer. *Beng. Ben. Ced. Prov.* 1806 *R.* 8. § 10.

70. Or againſt a judicial officer. *Beng. Ben. Ced. Prov.* 1806 *R.* 10. § 9.

71. The Commiſſioners appointed to try ſuch a charge ſhall examine on oath the witneſſes named by the accuſer and accuſed. *Beng. Ben. Ced. Prov.* 1806 *R.* 8. § 12.

OPIUM.

I. *CONTRACT.*

2. For *C.* 2, *read*, *C.* 3. 594

4. For § 20, *read* § 2.

13. For *C.* 12, *read*, *C.* 13. and for *C.* 23, *read*, *C.* 22. 595

III. *PENALTIES.*

24. For *R.* 51, *read*, *R.* 41. 605

PEACE.

After No. 3, *inſert*, And Daroghas of the Wards in cities. *Beng.* 1793 *R.* 22. § 37. 611
Ben. 1795 *R.* 17. § 34.

9. For *Beng. read*, *Ben.* 612

PENALTIES.

I. *IN JUDICIAL MATTERS.*

1. In Points of Jurisdiction.

48. For *R.* 4. § 12, *read*, *R.* 5. § 12.

51. For *C.* 3, *read C.* 4.

52. For *Beng. read*, *Ben.*

64. For *R.* 6, *read*, *R.* 1. 620

67. At the end, *add*, *Ced. Prov.* 1805 *R.* 8. § 14. *C.* 8. 621

70. For. *R.* 18. § 7. *C.* 17, *read*, *R.* 13. § 9.

2. In Points of Duty.

621 1. In the margin, *add*, Re-enacted 1806 *R* 8. § 17.

622 11. In the margin, *add*, Re-enacted 1806 *R*. 8. § 18.

15. In the margin, *add*, Re-enacted 1806 *R*. 8. § 17.

17. At the end, *add*, ext. *Ben*. 1806 *R* 17. § 2.

624 33. and 34. In the margin, *add*, Modified 1800 *R*. 7. § 26.

35. 36. 37. In the margin, *add*, Modified 1800 *R*. 7. § 6.

625 57. Perſons bringing falſe charges of corruption againſt European officers amenable to the Civil Courts may be ſued for damages and made to pay the coſts of the inveſtigation. *Beng. Ben. Cod. Prov.* 1806 *R*. 8. § 18.

58. The Governor General in Council will paſs ſuch order on the charge as may appear proper. *Beng. Ben. Cod. Prov* 1806 *R*. 8 § 17.

II. *IN REVENUE MATTERS.*

1. In the Land Revenue.

626 9. In the margin, *omit*, Reſcinded 1799 *R*. 3. § 10.

10. In the margin, *omit*, Ditto

12. In the margin, *add*, Reſcinded 1794 *R*. 3 § 11.

627 21. For *R*. 28. *read*, *R*. 26.

628 29. For *R*. 31. § 40 *read*, *R*. 31. § 41.

629 49. In the margin, *omit*, Ditto.

50. In the margin, *add*, Ditto.

630 58. For purchaſers, *read*, Purchaſes.

2. In Sayer and Stamps.

632 14. In the margin, *add*, Modified 1800 *R*. 7. § 26.

634 32. For 1800, *read*, 1802.

40. For *R*. 6. *read*, *R*. 2.

3. In Private Rents.

637 22. At the end, *add*, *C*. 1.

23. For § 21. *read*, § 28

638 38. For *C*. 3. *read*, *C*. 5.

639 44. For *R*. 5. 14. *read*, *R*. 5. § 14.

45. For *C*. 3. *read*, *C*. 2.

48. Perſons making a cut through a private embankment may be puniſhed by the Magiſtrate or committed to the Court of Circuit and ſued for damages. *Beng Ben Cod. Prov.* 1806 *R*. 6. § 13.

Page

III. *IN COMMERCIAL MATTERS.*

1. In Matters of Salt.

8. At the end, *add*, *C.* 10. 639

16. For *R* 3, *read*, *R* 30. 640

19. For § 4, *read*, § 17.

30 33. 41. 42 43. In the margin, *add*, Reſcinded *Ced. Prov.* 1804 *R.* 6. § 2. 641

2. In Commerce and Opium.

8. For *R* 31, *read*, *R* 32. 644

10. For *C.* 15, *read*, *C.* 22.

3. In Matters of the Customs.

6. For § 11, *read*, § 44. 649

11. 12 and 19. In the margin, *add*, Reſcinded *Ced. Prov.* 1804 *R.* 11. § 2. 647

PENSIONS.

27. For *R.* 35. *read*, *R.* 34. 652

PERSONAL PROPERTY.

I. *SUITS.*

31. In the margin, *add*, Modified 1801 *R.* 2. § 8. 1805 *R.* 2. § 10. *C.* 1. 658

After No 33, *insert*, The deciſions of the Zilla Judges in the Ceded Provinces in ſuits for perſonal property exceeding 200 Rupees are appealable to the Provincial Court of Appeal *Ced. Prov* 1803 *R.* 2. § 21. Re enacted 1803 R. 2. § 8. C. 4.

37. For *Ced. Prov.* 1803, *read*, *Ced. Prov.* 1805.

II. *ATTACHMENT &c.*

After No. 3, *insert*, Native Commiſſioners of lawſuits, acting as Munſifs, may attach the perſonal property, not exceeding the amount ſued for, of a defendant refuſing to give ſecurity for his appearance, until he give ſuch ſecurity; and on deciſion of the ſuit againſt the defendant ſhall deliver the property to the Court to be ſold in ſatisfaction of the decree. *Beng.* 1793 *R.* 40. § 11. *C.* 2. ext. *Ben.* 1795 *R.* 31. § 2. *Ced. Prov.* 1803 *R.* 16. § 9. *C.* 2. 659 Modified 1803 R. 49 § 17

And of a witneſs refuſing to appear when ſummoned, until he appear. *Beng.* 1793 *R.* 40. § 9. *C.* 10. ext. *Ben.* 1793 *R.* 31. § 2. *Ced. Prov.* 1803 *R.* 16. § 7. *C.* 10. ditto § 18

After No. 14, *insert*, The power of Munſifs to attach perſonal property of a defendant in default of ſecurity is reſtricted to ſuits exceeding ten Rupees, except on proof of the defendant being about to abſcond. *Beng. Ben.* 1803 *R.* 49. § 17. *C.* 1. *Ced. Prov.* 1803 *R.* 16. § 9. *C.* 3. 660

And

660 And with this limitation is extended to referees and arbitrators when the Court leaves it to them to take ſecurity. *Beng. Ben.* 1803 *R.* 49. § 17. *C.* 2. *Ced. Prov.* 1803 *R.* 16. § 7. *C.* 6.

The ſame power of Munſifs on nonattendance of witneſſes is not to include women of rank and caſt. *Beng. Ben.* 1803 *R.* 49. § 18. *C.* 1. *Ced. Prov.* 1803 *R* 16. § 9. *C.* 5.

And with this limitation is extended to referees and arbitrators. *Beng. Ben.* 1803 *R.* 49. § 18. *C.* 2. *Ced Prov.* 1803 *R.* 16. § 7. *C.* 10.

But not to a head Commiſſioner. *Beng. Ben.* 1803 *R.* 49 § 19.

After No. 15, *inſert*, any periſhable property attached in default of ſecurity for ſtaying execution of a judgment appealed to the Sudder Dewannee Adawlut from the Courts of Chundernagore and Chinſura, may be converted into money by public ſale by order of the Sudder Dewannee Adaulut. 1805 *R.* 1. § 12 *C.* 3.

PETITIONS.

662 15. For *R.* 6. *read*, *R.* 5.

663 After No. 21, *inſert*, Any judicial or revenue officer filing a petition written on unſtampt paper ſhall beſides diſmiſſion forfeit ten times the ſtamp duty. *Beng. Ben.* 1800 *R.* 7. § 26. *Ced Prov.* 1803 *R.* 43. § 25.

24. Petitions written on ſtampt paper not authenticated in the preſcribed mode ſhall be deemed to be written on unſtampt paper. *Beng. Ben. Ced. Prov.* 1806 *R.* 13. § 10.

PLAINTIFFS.

667 24. In the margin, *add*, Re-enacted 1799 *R.* 7. § 17.

668 31. The plaintiff may proceed ex-parte againſt a defendant who ſhall avoid ſervice of the notice preſcribed in lieu of a writ, and ſhall not appear on being proclaimed. *Beng. Ben. Ced. Prov.* 1806 *R.* 2. § 3.

PLEADERS.

I. *HOW TO BE APPOINTED.*

669 10. *Add*, On giving them a Vakalutnama atteſted by two witneſſes.

670 32. In the margin for Re-enacted, *read*, Reſcinded.

671 33 and 36. For § 24. *read*, § 25.

After No. 33, *inſert*, Pleaders ſhall be furniſhed by the Collector with judicial ſtampt paper on their accounting for the ſame. *Beng. Ben.* 1797 *R.* 6. § 17. *C.* 10. *Ced. Prov.* 1803 *R.* 43. § 14. *C.* 2.

672 45. 1 or *R.* 49. § 26. *read*, *R.* 49. § 9.

Page

52. The pleaders are to be required to take copies of all Regulations which relate directly or indirectly to the adminiſtration of juſtice. *Ced. Prov.* 1805 *R.* 8. § 31. *Beng. Ben.* 1806 *R.* 11. § 12. *C.* 2. 672

III. *OFFICIAL SUITS.*

35 and 36. In the margin, *add*, Reſcinded 1804 *R.* 1. § 2. 680

38. For *R.* 5. § 3. *read*, *R.* 5. § 27.

39. For *R.* 5. § 2. *read*, *R.* 5. § 27.

41. For *Ced. Prov. R.* 6. *read*, *Ced. Prov. R.* 27.

PLEADINGS.

20. In the margin, *add*, Modified 1800 *R.* 7. § 21. 683

21. In the margin, *add*, Modified 1800 *R.* 7. § 26.

After No. 28, *inſert*, Any judicial officer filing a pleading not written on ſtampt paper ſhall, beſides diſmiſſion, forfeit ten times the ſtampt duty. *Beng. Ben.* 1800. *R.* 7. § 26. *Ced. Prov.* 1803 *R.* 43. § 25. 684

33. *Add*, Such pleadings need not be written on ſtampt paper.

34. Pleadings written on ſtampt paper not authenticated in the preſcribed mode ſhall be deemed to be written on unſtampt paper. *Beng. Ben. Ced. Prov.* 1806 *R.* 13. § 10.

POLICE.

I. *ESTABLISHMENTS.*

1. At the end, *add*, *Conq. Prov.* 1805 *R.* 9. § 25. *C* 4. 687

19. For cities, *read*, City. 688

22. At the end, *add*, *Ced. Prov.* 1803 *R.* 25. § 35. *C.* 4. *Conq. Prov.* 1805 *R.* 9. § 25. *C.* 4.

36. Police Daroghas &c. may, with the ſanction of the Magiſtrate, remove their Naibs, Jumadars and Burkandazes. *Beng. Ben. Ced. Prov.* 1804 *R.* 5. § 12. 690

II. *CUTTACK &c.*

18. For *C.* 8. *read*, *C* 4. 691

After No. 18, *inſert*, The Magiſtrate may puniſh ſuch watchmen for neglect of duty by fine, impriſonment, diſmiſſion or otherwiſe. *Beng.* 1805 *R.* 18. § 7. *C.* 5.

19. For *C.* 4. *read*, *C.* 7.

37. Perſons belonging to the temple of Jugunnaut, guilty of any criminal offence, ſhall be delivered over to the Police officers. *Beng.* 1806 *R.* 41 § 17. 693

III. *DUTIES OF POLICE.*

31. *Add*, And the Magiſtrate ſhall appoint others in the room of ſuch as are inefficient, and ſhall ſee that the inhabitants pay them their accuſtomed wages. 696

697 35. In the margin, *add*, Modified 1801 *R* 9. § 5.

698 After No. 49, They shall endeavour to secure the weapon with which a murder may appear to have been committed, in order to its production and identification on the trial. *Ced Prov.* 1803 *R.* 35 § 25. *C* 6.

IV. *MISCELLANEOUS RULES.*

699 11. At the end, *add*, *Ced. Prov* 1803 *R.* 40. § 31.

12. At the end, *add*, ext. *Ben.* 1795 *R.* 47. § 9. *Ced. Prov.* 1803 *R.* 40 § 32.

13. At the end, *add*, ext. *Ben.* 1795 *R.* 47. § 9. *Ced. Prov.* 1803 *R.* 40 § 33.

14. In the *margin*, *add*, Re-enacted 1801 *R.* 6. § 11.

After No 14. *insert*, Police Daroghas are to proceed or depute a person on all occasions of Melas or other assemblies of people, to prevent disturbances. *Ben* 1795 *R.* 17. § 18. *Ced. Prov.* 1803 *R.* 35. § 19.

And the Daroghas of the wards in Cities. *Ben.* 1795 *R.* 17. § 24.

700 19 At the end, *add*, *Ced. Prov.* 1803 *R.* 28 § 17. *C.* 2.

21. At the end, *add*, *Ced. Prov.* 1803 *R.* 28 § 19. *C.* 3.

701 34 For § 3 *read*, § 31.

PROCESSES.

I. *IN ORDINARY JURISDICTION.*

708 12. Before 1793, *insert*, *Beng.*

709 26. For 1803, *read*, 1806

II. *IN SPECIAL CASES.*

711 4 For § 9, *read*, § 19.

8. After *R.* 31. § 10 *insert*, *C.* 2.

712 14 At the end, *add*, ext. *Ben.* 1805 *R.* 4 § 2.

713 38. The Magistrate's officers charged with the execution of any process shall not enter the precincts of the temple of Jugunnaut. *Beng.* 1806 *R.* 4 § 21. *R.* 5. § 4.

39. The processes of a special commission are to be served through the Zilla or City Court, in whose jurisdiction the commission is held or the party required resides. *Beng. Ben. Ced. Prov.* 1806 *R.* 8. § 13.

III. *SUITS BEFORE COMMISSIONERS &c.*

715 After No. 14. *insert*, All Processes in suits referred to or decided by a head Commissioner are to issue under the seal of the Court and signature of the Judge, Register or Assistants. *Beng. Ben.* 1803 *R.* 49. § 19.

Page

V. *ENFORCEMENT OF PROCESS.*

25. For *C.* 1. *read*, *C.* 4. 719

After No. 41, *insert*, The rules of Section 6, Regulation 4 of 1793, for enforcing the attendance of witneſſes in the Civil Courts are extended to witneſſes required by the Magiſtrates, Courts of Circuit, or Nizamut Adaulut. *Beng Ben.* 1803 *R.* 50 § 2 *C.* 1. *Ced Prov.* 1803 *R* 8 § 25 *C* 1. 720

But ſuch witneſſes ſhall on their apprehenſion be firſt committed to cuſtody; and ſhall not be liable to the fine unleſs they refuſe to give evidence on being a ſecond time brought before the Court. *Beng. Ben.* 1803 *R.* 50 § 2. *C.* 2. *Ced. Prov.* 1803 *R.* 8. § 25. *C.* 2

PROSECUTORS.

28. At the end, *add*, *Ced. Prov.* 1803 *R.* 43. § 23. 725

PUBLICATION.

I. *IN JUDICIAL MATTERS.*

6. At the end, *add*, *C.* 1. 726

8. At the end, *add*, *C.* 1. 727

29. The ſame publication, as is directed by Section 11, Regulation 4 of 1793, for a defendant abſconding from the ſervice of a ſummons, ſhall be made for a defendant avoiding or abſconding from the ſervice of the notice preſcribed by this Regulation. *Beng. Ben. Ced. Prov.* 1806 *R.* 2. § 3. 729

30. The attachment of property in default of ſecurity for a defendant's appearance ſhall be read and proclaimed upon the ſpot, and affixed in ſome conſpicuous ſituation at the place where the property is ſituated. *Beng. Ben. Ced. Prov.* 1806 *R.* 2. § 5. *C.* 2.

II. *IN REVENUE MATTERS.*

3. For *Beng.* 1795 *read*, *Beng.* 1793. 729

After No. 3, *inſert*, The names of the places ſelected for the manufacture and vend of ſpirituous liquors, the rate of tax, the form of licenſe, and the penalties, are to be publiſhed and affixed at each place of vend. *Beng.* 1793 *R.* 34. § 9 ext. *Ben.* 1795 *R.* 47. § 6. *Ced. Prov.* 1803 *R.* 40. § 9.

9. For § 6, *read*, § 5. 730

23. A table of the rates of value of the Rupees current in Cuttack, ſhall be affixed at the Court-houſe and Collector's Cuchery for general information. *Beng.* 1805 *R.* 12. § 13.

QUIT

QUIT RENTS.

737 1. Before 1793 *insert, Beng.*

RECORDS.

I. *JUDICIAL.*

748 15. Before *Ben, insert* ext.

II. *REVENUE.*

745 12. For § 6, *read*, § 61.

17. For § 26, *read*, § 25.

REGISTERS.

I. *RULES OF CONDUCT.*

746 7. For *R.* 12. § *C.* 4, *read*, *R.* 12. § 12. *C.* 4.

747 12. For *R.* 12. § 2. *C.* 7, *read*, *R.* 12. § 12. *C.* 7.

II. *MINISTERIAL DUTIES.*

751 31. For § 20, *read*, § 21.

752 43. At the end, *add*, *R.* 16. § 7. *C.* 4.

47. The Regiſter of the Zilla wherein a committee of embankments is aſſembled, is to act as Secretary to the commiſſion. *Beng. Ben. Ced. Prov.* 1806 *R.* 6. § 4.

III. *JUDICIAL DUTIES.*

754 18. In the margin, *add*, Reſcinded 1803 *R.* 49. § 6. *C.* 4.

755 26. At the end, *add*, *Ced. Prov.* 1803 *R.* 16. § 7. *C.* 9.

IV. *FORMS OF PRACTICE.*

756 8. In the margin, for Reſcinded, *read*, Re-enacted; *omit*, *C.* 4; and *add*, § 24.

757 19. In the margin, *add*, Re-enacted 1805 *R.* 8 § 6. *C.* 5.

REGISTRY.

I. *REVENUE ESTATES.*

758 11. In the margin, *add*, Modified 1800 *R.* 8. § 12. At the end, *omit*, *Ced. Prov.* 1803 *R.* 42. § 8.

759 17. For § 19. *read*, § 29; and for *R.* 29. *read*, *R.* 19.

23. For *R.* 49, *read*, *R.* 48.

761 39. For *R.* 48, *read*, *R.* 45.

II. *RENT-FREE LANDS.*

762 9. For R. 86. *read*, *R.* 36.

764 25. *Add*, If not ſubſequently admitted on the regiſter by order of the Governor General in Council.

Page

III. *ALL LAND REGISTERS.*

21. At the end, *add*, *R.* 31. § 37. *R.* 36. § 37. 766

V. *REGISTRY OF DEEDS.*

10. For *R.* 7, *read*, *R.* 17. 769

VII. *MISCELLANEOUS REGISTERS.*

2. For *R.* 5. § 25, *read*, *R.* 5. § 23. 770

REGULATIONS.

I. *HOW TO BE PASSED.*

25 *Add*, And ſhall be again tranſmitted to the Court when corrected according to the inſtructions of the Court. 775

II. *HOW TO BE IN FORCE.*

26. For *R* 14, *read*, *R.* 12. 779

37. All Regulations for the Conquered Provinces ſhall be in force in the Pergunnas ceded by the Raja of Bhurutpoor. *Ced. Prov* 1806 *R.* 12. § 3. 780

III. *HOW TO HAVE EFFECT.*

4. For *R.* 25. § 4, *read*, *R.* 25 § 3. 780

64. The general Regulations for the adminiſtration of juſtice ſhall not be held applicable to the Civil Courts of Chinſura and Chandernagore, unleſs fully conſiſtent with the proviſions of this Regulation, and except as far as regards the authority of the Sudder Dewannee Adaulut over them in caſes not affecting the rights of the parties. 1805 *R.* 1. § 9. 785

65. Special commiſſions for the trial of charges of corruption againſt any European officers of Government are to be guided by the general Regulations for the conduct of Civil Courts. *Beng. Ben Ced. Prov* 1806 *R.* 8. § 13.

REMISSION OF JUMMA.

2. *Omit*, *Beng.* 785

RENT-FREE LANDS.

I. *WHAT GRANTS ARE VALID.*

1. For 1ſt January 1793, *read*, 1ſt January 1792; And for 14th October 1793, *read*, 14th October 1791. 788

2. For 1ſt July 1795, *read*, 1ſt July 1775.

8. For Dewannee, *read*, Ceſſion. 789

14. For the year 1790, *read*, the year 1196. 790

29. For *C.* 4. *read*, *C.* 2. 791

II. *RESUMPTION.*

795 31. For *C.* 2 *read, C.* 3.

III. *MISCELLANEOUS RULES.*

797 2. For § 17. *read*, § 12.

After No 7, *infert*, The commiſſions of the former are to laſt while the grant is unreſcinded, and of the latter while they are in charge. *Beng.* 1793 *R* 40. § 5 *C.* 4. ext. *Ben* 1795 *R.* 31. § 2. *Ced. Prov.* 1803 *R.* 16. § 3. *C.* 6.

798 24. For *R.* 4 § 12. *R* 5. § 10. *read*, *R.* 4 § 30 *C.* 1. *R* 5 § 10. *C.* 1.

31. All penſions ſhall if practicable be commuted for grants of waſte land to be held free of rent by the grantee and his heirs. *Beng. Ben. Ced. Prov.* 1806 R 22. § 9.

32. The Collector ſhall report to the Board of Revenue where land conveniently ſituated for the party can be procured. *Beng. Ben. Ced. Prov.* 1806 *R.* 22. § 10

33 The Board ſhall report their opinion to Government with a draft of the Sunnud to be granted; which ſhall be ſigned by the Secretary to Government. *Beng. Ben. Ced. Prov.* 1806 *R* 22. § 11.

34. The quantity of land ſhall be ſuch as when brought into cultivation will be equivalent in its rents to the amount of the penſion; but Government may increaſe or diminiſh the quantity and grant an advance of money for bringing the land into cultivation. *Beng. Ben. Ced. Prov.* 1806 *R.* 22. § 12.

RESIGNATION.

801 26. On the reſignation of an agent for the ſale of ſtampt paper, the officer under whoſe authority he acted ſhall recal and cancel his Sunnud. *Beng. Ben. Ced. Prov.* 1806 *R.* 13. § 5.

27. On the reſignation or removal of a Tehſildar in Benares or the Ceded Provinces, the ſalary and eſtabliſhments of the ſucceſſor, for purpoſes of Police and Revenue reſpectively, will be fixed by the Governor General in Council, on report of the Magiſtrate through the Nizamut Adaulut; and of the Collector through the Board of Revenue. *Beng. Ben. Ced. Prov.* 1806 *R.* 21. § 2.

RESISTANCE.

I. *IN JUDICIAL MATTERS.*

802 4. For *R* 8 § 26. *read*, *R* 8. § 6. *C.* 2.

803 11. For § 6. *read*, § 11.

12. For § 2. *read*, § 8.

Page.

32. In the margin, *add*; Modified 1801 *R.* 9 § 5. 804

37. and 35. In the margin, *add*, Modified 1801 *R.* 9. § 5. 805

49. Any removal of property attached in default of ſecurity required from a defendant ſhall be puniſhed as a reſiſtance of proceſs. *Beng. Ben. Ced. Prov.* 1806 *R.* 2. § 5. *C.* 2. 806

RESPONDENTS.

6. Before *Ben. inſert*, ext. 810

REVIEW.

2. In the margin, *add*, Superſeded 1803 *R.* 49. § 6 *C.* 3. and in *Ced Prov.* 1805 *R.* 8 § 16 *C.* 3. 813

7. In the margin, *add*, Superſeded 1803 *R.* 49 § 6 *C.* 4. and in *Ced. Prov.* 1805 *R.* 8. § 16 *C.* 4. 814

REWARDS.

26. For *R* 40 *read*, *R* 41. 816

41. Before 1801 *inſert*, *Beng.* 817

ROBBERY.

After No. 18, *inſert*, The Magiſtrates and Courts of Circuit are to report to the Nizamut Adaulut whenever they deem an offer of pardon on ſuch condition to be expedient, *Beng. Ben.* 1796 *R.* 6. § 4. *Ced. Prov.* 1803 *R.* 8. § 21. 820

RUWANAS.

3 5 6 and 7. In the margin, *add*, Expired. 824

12 to 17. and 22. In the margin, *add*, Reſcinded *Ced. Prov.* 1804 *R.* 11. § 4. 825

34. For n 8. *read*, § 8. 827

62. For *Ben read*, *Beng.* 829

SALE AND GIFT.

15. For *R.* 37. *read*, *R.* 17. 831

25. In the margin, for Modified, *read*, Re-enacted. 832

SALE BY PUBLIC AUTHORITY.

I. *WHEN TO TAKE PLACE.*

After No. 26, *inſert*, Government reſerves to itſelf the right of ordering a ſale of land in Benares for the recovery of revenue arrears. *Ben.* 1800 *R.* 5 § 26. 836

II. *HOW TO BE MADE.*

1. For Arrears of Revenue.

2. After *Ced. Prov. inſert*, (A depoſite of 15 per cent) 838

31. At the end, *add*, *R.* 27. § 51. 842

After

842 After No. 31, *insert*, Whenever an entire eſtate is to be ſold in one lot, it will be ſufficient to mention its name, the Mehals compoſing it, and its aſſeſſment. *Cod. Prov.* 1803 *R.* 26. § 6. *C.* 2.

SALT.

I. *RULES FOR THE AGENT &c.*

849 60. *Omit, Ben. Cod. Prov.*

62. The Salt Agents of Tumlook and Hidgelee ſhall have the charge of the embankments under the ſuperintendence of the Board of Revenue. *Beng.* 1806 *R.* 6. § 9.

63. And are to collect the duties on the canals within their reſpective limits. *Beng.* 1806 *R.* 18. § 12.

64. Under the general control of the Board of Revenue. *Beng.* 1806 *R.* 18. § 13.

II. *RULES FOR THE MANUFACTURE.*

852 41. All the Regulations for the manufacture of ſalt now in force or hereafter enacted for Bengal, ſhall extend to Cuttack, except in certain ſpecified hill or Jungul Zemindaries. *Beng.* 1805 *R.* 14. § 11.

42. The notice preſcribed in lieu of a ſummons on defendants is to be ſerved on the ſalt manufacturers according to the exiſting Regulations. *Beng.* 1806 *R.* 2. § 2. *C.* 4.

III. *RESTRICTIONS ON THE TRADE.*

1. RULES SINCE RESCINDED.

853 15. For *R.* 3. *read*, *R.* 30.

4. CEDED PROVINCES.

864 32. For § 10. *read*, § 12.

IV. *ADULTERATED SALT.*

866 5. For § 4. *read*, § 5.

SAYER REVENUE.

I. *RESUMPTION AND ABOLITION.*

868 21. At the end, *add*, *Cod. Prov.* 1804 *R.* 11. § 53. 1805 *R* 6. § 36.

II. *COMPENSATIONS.*

872 18. At the end, *add*, *Cod. Prov.* 1803 *R.* 38. § 18. 1805 *R.* 6. § 41.

SENTENCE.

I. *BY NIZAMUT ADAULUT.*

874 17. For *R.* 13. § 4. *read*, *R.* 1. § 13. *C.* 4.

III. *BY MAGISTRATES.*

888 12. In the margin, *add*, Modified 1801 *R.* 9. § 5.

Page

13. For *C.* 3. *read*, *C* 4. 888

SEZAWULS.

I. *APPOINTMENT &c.*

16. to 18. For *Beng. read, Ben.* 895

22. In the margin, *add*, Reſcinded 1800 *R.* 7. § 12. 896

29. Before 1803, *inſert*, *Ced Prov.*

37. Tehſildars &c on receiving orders from the Collector, ſhall aſſiſt in providing ſupplies for troops on their march *Beng. Ben. Ced. Prov.* 1806 *R.* 11. § 3. *C.* 1. 897

38 The tranſlation of Regulation 11 of 1806, is to be ſent to the Tehſildars &c. with directions to publiſh it. *Beng. Ben Ced. Prov.* 1806 *R.* 11. § 11.

39. On the death, removal &c. of a Tehſildar in Benares and the Ceded Provinces, the Collector ſhall report through the Board of Revenue, and the Magiſtrate through the Nizamut Adaulut, to the Governor General in Council, the allowance and eſtabliſhment neceſſary for the collection of the revenue and the maintenance of the peace reſpectively. *Ben. Ced. Prov.* 1806 *R.* 21. § 2.

40. Tehſildars, appointed under this Regulation, ſhall have the ſame powers with the preſent Tehſildars both as officers of revenue and as officers of Police. *Ben. Ced. Prov.* 1806 *R.* 21 § 3.

41. And ſhall be reſponſible for the revenue; but will be entitled to abatement for any remiſſions granted to a Zemindar, or any loſſes proved to the ſatisfaction of Government to have ariſen on the aſſets of the Amanee lands or from the impracticability of recovering the balances of the landholders *Ben. Ced. Prov* 1806 *R.* 21 § 4.

42. The perſonal allowance of ſuch Tehſildars and revenue eſtabliſhments ſhall be paid by the Collector, and the Police eſtabliſhments by the Magiſtrate, and charged to the Revenue and Judicial Departments reſpectively. *Ben. Ced. Prov.* 1806 *R.* 21. § 5.

II. *DUTIES IN THE REVENUE.*

After No. 11, *inſert*, The perſon in charge of Khas lands ſhall collect the rent of all reſumed rent-free land not exceeding 100 Beghas in any one grant. *Beng.* 1793 *R.* 19. § 6 *Ben* (not exceeding 50 Beghas) 1795 *R* 41. § 6. 898

And aſſeſs all rent-free lands if not regiſtered within the period allowed and not ſubſequently admitted on the regiſter by Government. *Beng.* 1793 *R.* 19 § 26. and 27. *Ben.* 1795 *R.* 41. § 26. and 27.

And ſhall ſue for the reſumption of all ſuch rent-free land held on invalid grants. *Beng.* 1793 *R.* 19. § 11. *Ben.* 1795 *R.* 41. § 11.

898 And may resume without previous application to a court of justice rent-free land, whether more or less than 100 Beghas, held on any grant made since the 1st December 1790. *Beng.* 1793 *R.* 19. § 10. *Ben.* (since the year 1195) *R* 41 § 10.

But shall be liable to damages if he resume any other description of rent-free land without a previous suit, or sue for the resumption of any land on insufficient grounds. *Beng.* 1793 *R.* 19 § 11 § 16. *Ben.* 1795 *R.* 41. § 11. § 16.

899 18. For *Beng. read, Ben.*

STAMPS.

I. *WHAT SHALL BE STAMPT.*

906 After No. 46, *insert*, The pleadings in suits referred to a head Commissioner need not be on stampt paper: but the pleadings in appeals from his decision must. *Beng. Ben.* 1803 *R.* 49. § 9. *C.* 11. *Cod. Prov.* 1803 *R* 16. § 26. *C* 11.

Nor the pleadings and decrees in appeals to the Sudder Dewannee Adaulut from Chinsura or Chandernagore. 1805 *R.* 1. § 11.

III. *PENALTIES.*

913 30. *Add*, with forfeiture of all the paper found in his possession.

SUSPENSION FROM OFFICE.

916 23. The Pundits of the temple of Jugunnaut may suspend the inferior officers, reporting the same to the Collector. *Beng* 1806 *R* 4. § 16.

24. On a charge of corruption against a revenue or commercial officer being referred for trial, he shall be suspended from office and salary. *Beng. Ben. Cod. Prov.* 1806 *R.* 8. § 9.

25. And similarly for a judicial officer. *Beng. Ben. Cod. Prov.* 1806 *R.* 10. § 8.

TENANTS.

920 1. At the end, *add, Ben.* 1795 *R.* 2. § 14. *C.* 5.

921 13. For § 15. *read*, § 4. *C* 2.

18. At the end, *add, Cod. Prov.* 1803 *R.* 37. § 8. to 10. and 12. ext. *Ben.* 1805 *R.* 4. § 2.

922 23. At the end, *add, Cuttack* 1805 *R.* 12. § 16.

924 46. For *R.* § 15, *read R.* 7. § 15.

THEFT.

927 18. For § 2, *read*, § 3.

TOLLS.

930 13. For *R.* 28. *read*, *R.* 18.

Page

TRADE.

5. In the margin, *add*, Re-enacted 1795 *R.* 39. § 3. *C.* 2. 930

9. For *R.* 35. *read*, *R.* 37. 931

16. For 1803 *R.* 31. *read*, 1803 *R.* 37.

TRANSLATIONS.

8 Before *Ben. infert*, ext; and after. *Ced. Prov. infert*, (Perſian and Hindoſtanee) 933

20 At the end, *add*, *Ced. Prov.* (papers in any other native language) 1803 934
R. 6. § 16.

23. For *C.* 3. *read C.* 4. 935

50 A tranſlation is to be ſent to Government with any complaint againſt a revenue 937
or commercial officer for any act except corruption. *Beng. Ben. Ced. Prov.* 1806 *R.* 8. § 2.

51. And with any charge of corruption againſt ſuch officer. *Beng. Ben. Ced. Prov.* 1806 *R.* 8 § 4.

52. Or againſt a judicial officer. *Beng. Ben Ced. Prov.* 1806 *R.* 10. § 4.

TRIAL.

I. *IN CIVIL CASES.*

29. In the margin, *add*. Re-enacted 1799 *R.* 6. § 14. 943

57. For § 23. *read*, § 32 946

60. Informations regarding opium are to be ſued ſummarily. *Ced. Prov.* 1803 *R.* 41. § 21.

61. A head Commiſſioner is to obſerve ſtrictly the rules of Section 5, Regulation 18 of 1797, in the trial of ſuits for landed property. *Beng. Ben.* 1803 *R.* 49. § 9. *C.* 9. *Ced. Prov.* 1803 *R.* 16. § 26. *C* 9.

62. Trials need not be poſtponed for the evidence of recuſing witneſſes longer than the Court ſhall think neceſſary. *Beng. Ben.* 1803 *R.* 50 § 2 *C.* 3. *Ced Prov.* 1803 *R.* 8. § 25. *C.* 3.

63. When the defendant's property is attached for want of ſecurity, the cauſe ſhall be tried as ſoon as poſſible without reference to the order of its inſtitution. *Beng. Ben. Ced. Prov.* 1806 *R.* 2 § 6.

VACANCY OF OFFICES.

10. At the end, *add*, *Ced. Prov.* 1803 *R.* 35 § 24. 956

46. On a vacancy of the office of Tehſildar in Benares and the Ceded Provinces the 959
Governor General in Council will fix the allowances and eſtabliſhments of the ſucceſſor,

for

959 for the purposes of revenue and Police, on report of the Collector through the Board of Revenue, and of the Magistrate through the Nizamut Adaulut respectively. *Ben. Ced. Prov.* 1806 *R.* 21. § 2.

WEAVERS.

968 17. For *R.* 10. § 1. *read*, *R* 37. § 10. *C.* 1.

21. For *R.* 7. *read*, *R.* 37.

969 25. For *R.* 30. *read*, *R.* 31.

970 34. For § 9. *C.* 3. *read*, § 12. *C.* 2.

36 The notice on defendants prescribed in lieu of a summons is to be served on the Company's weavers in the mode directed by the existing Regulations. *Beng. Ben. Ced. Prov.* 1806 *R.* 2. § 2 *C.* 4.

WILLS.

971 8. If a Zilla or City Court should have taken charge of the property of a deceased British subject in consequence of no will being found among his effects, the property shall be given up to any person subsequently producing probate of a will. *Beng. Ben. Ced. Prov.* 1806 *R.* 15. § 6.

WITNESSES.

I. *IN CIVIL CASES.*

971 1. In the margin, *add*, Modified 1803 *R.* 50. § 2 *C.* 2.

975 4. In the margin, *add*, Modified 1803 *R.* 50. § 6.

After No. 47. *insert*, and receipts for the advances to salt manufacturers. *Beng.* 1793 *R.* 29. § 9.

49. For § 10. *read*, § 9.

976 62. For § 26, *read*, § 25.

After No. 62, *insert*, The trial need not be postponed for such recusing witnesses longer than the Court may deem necessary. *Beng. Ben.* 1803 R. 50. § 2. *C.* 3. *Ced. Prov.* 1803 *R.* 8. § 25. *C.* 3.

II. *IN CRIMINAL CASES.*

977 4. For *R.* 3. *read*, *R.* 35.

978 10. At the end, *add*, *Ced. Prov.* 1803 *R.* 7. § 25.

979 20. At the end, *add*, *Ced. Prov.* 1803 *R.* 6. § 32.

980 34. For § 26, *read*, § 25.

981 36. For Circuit Court, *read*, Criminal Court.

37. For Judges of Circuit, *read*, Criminal Courts.

BENGAL SECRETARIAT LIBRARY.